



ANNUAL SECURITY REPORT 2022

Includes crime statistics for 2019, 2020, and 2021

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f), 34 CFR 668.46).

This Annual Security Report is available on the Texas A&M University – Central Texas Campus Safety Report website at: <https://www.tamuct.edu/police/clery.html>

Numerous links to websites are included. Email clerycompliance@tamuct.edu for assistance if any link does not function.

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Preparation of the Annual Security Report and Disclosure of Crime Statistics

Enacted in 1990, The Crime Awareness and Campus Security Act was designed to assist the campus community in making decisions which affect their personal safety by requiring institutions of higher education to provide certain campus security information to current and prospective students and employees annually. The Higher Education Act of 1998 and the subsequent amendments of the implementing regulations (34 C.F.R.668.46) significantly expanded institutions' obligations under the Act. The Act was also renamed the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (hereafter the Clery Act).

The Texas A&M University – Central Texas University Police Department (UPD) is responsible for preparing and distributing the Annual Security Report to comply with the Clery Act. The Annual Security Report is published every year by October 1st and contains three years of selected campus crime statistics and certain campus security policy statements for the 2021 – 2022 academic year in accordance with the Clery Act. The 2022 Annual Security Report contains crime statistics for calendar years 2019, 2020, and 2021.

UPD composes the Annual Security Report and statistical information with input from various sources such as local law enforcement agencies, Student Affairs, and other campus personnel.

Annual Security Report Notifications

Each year, an e-mail notification is distributed to all current students, faculty, and staff network email addresses providing the website to access this report. The full report can be found at <https://www.tamuct.edu/police/clery.html>

Prospective employees are notified of the availability of the Campus Security Report on the "Employment Opportunities" webpage of the Human Resources website at <https://www.tamuct.edu/human-resources/employment-opportunities.html>

Prospective undergraduate and graduate students are notified of the availability of the Campus Security Report after clicking the Admissions webpage at <https://www.tamuct.edu/admissions.html> and by applying through the ApplyTexas One Application at <https://prod.applytexas.org/> and selecting Texas A&M University – Central Texas.

Copies of the report may be requested by contacting:

University Police Department Clery Compliance Coordinator
Robert M. Shoemaker Founders Hall, Room 103
Killeen, Texas 76549
(254) 501-5802
Email: clerycompliance@tamuct.edu

Campus Law Enforcement Policies

Police Department Overview

The UPD police officers are state certified Texas Peace Officers that provide law enforcement services to all components of Texas A&M University – Central Texas.

The department has 17 authorized positions including patrol officers, communications officers, security officers and administrative support personnel. UPD maintains a Patrol Division and a Support Services Division. Within the Support Services Division resides the Criminal Investigations Section, the Community Engagement Unit, Training Unit, Evidence and Records Unit, Communications Section, and an Investigations Unit. The Patrol Division is the core of UPD. These officers are the ones to answer calls for service, respond to alarms, and enforce state criminal and traffic laws.

To provide a safe campus for our students, staff, faculty and visitors, the department has uniformed officers and security officers on patrol 24 hours a day, year-round. Police Officers rotate three times a year to different shifts. To provide around-the-clock coverage, our officers work in three shifts.

Enforcement Authority, Arrest Authority and Jurisdiction

The UPD is the primary police authority for Texas A&M University – Central Texas. Our police officers are certified Texas peace officers as defined in article 2.12 of the Texas Code of Criminal Procedure. Under Section of 51.203 of the Texas Education Code, police officers commissioned by the state institution of higher education have arrest authority and jurisdiction in all counties in which property is owned, leased, rented, or otherwise under the control of the institution of higher education to enforce local, state, and federal laws. UPD's primary patrol jurisdiction is the A&M-CENTRAL TEXAS campus, university owned and controlled non-campus locations and public property contiguous to these locations. The UPD is computer linked to city, state and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property, and vehicle information. All crimes reported to the UPD are investigated; and when appropriate, are referred for prosecution through the Offices of the County Attorney and District Attorney. Criminal matters involving university students may also be referred to the university administration for disciplinary action.

Working Relationships and Agreements

The UPD maintains an excellent working relationship and often trains with other local law enforcement agencies. UPD has a Memorandum of Understanding Agreement with the City of Killeen Police Department, and the Bell County Sheriff's Department. These agreements allow for cooperation in the performance of police protection including the investigation of alleged crimes, enforcement of laws, and communication between agencies. Working relationships are also maintained through periodic communications among agency administrators and frequent contacts between line officers and investigators cooperating on specific cases.

A request is distributed to local law enforcement agencies annually to solicit cooperation in informing the institution about crimes. The request is specific to informing UPD about situations reported to the given local law enforcement agency that may warrant an emergency response or timely warning notification.

Monitoring Non-Campus Locations

Institutional sponsored travel by students or student organizations to locations outside of Bell County may result in the location meeting the criteria for Clery non-campus property. UPD does not monitor criminal activity at these non-campus locations. The local law enforcement agency with jurisdiction at the location responds when police services are requested.

Professional Standards

The UPD is a Recognized Law Enforcement Agency from the Texas Police Chief's Association Law Enforcement Recognition Program. The recognition program evaluates the police department's compliance with over 166 Best Business Practices for Texas law enforcement. The Police Department's relationship with the community, and ensuring we provide excellent service, is vital to achieving our overall mission of a safe and secure campus. All members of the A&M – Central Texas community can expect to be treated courteously and professionally by our department members.

The quality of UPD's service is dependent in part on feedback from the community. Please help the department improve by promptly bringing any complaints or compliments to any of the following individuals' attention.

- Request the on-duty Police Supervisor by calling (254) 501-5803. This individual is available 24 hours a day.
- Address correspondence to: Chief of Police, A&M-Central Texas UPD, 1001 Leadership Place, Killeen, TX 76549

Reporting Crimes

Incident Reporting and Response

Any A&M-Central Texas campus emergency should be reported immediately to UPD by dialing 911 from any on-campus phone or (254) 501-5805 or 911 from a cellular phone. 911 calls from a cellular phone will ping the closest tower.

UPD calls for service to the A&M-Central Texas campus is received in the Communications Center by a Police Communications Officer (PCO). The PCO will request basic information regarding the call for service and the caller's contact information so an officer may reach the reporting party subsequently. A police officer will then be dispatched to the scene or to the location requested by the reporting party. The police officer may then issue a case number for the call and complete an incident report. Copies of

all incident reports are kept with the UPD Records for a time period mandated by institutional and state records retention policies.

UPD will respond as quickly and safely as possible to any request for assistance, whether it is an emergency or not. Response time is based on the current activity and severity of the call.

A&M-Central Texas encourages accurate and prompt reporting of all crimes to the appropriate police agency when the victim of a crime elects to or cannot make such a report. We cannot overemphasize the importance of prompt and accurate reporting of crime. If a crime is not reported promptly, evidence can be destroyed or the potential to apprehend a suspect is lost. If you witness a crime or emergency, promptly report it to UPD and be prepared to answer questions as accurately as you can. If you are the victim of a crime or have seen or received information of criminal activity on other emergencies, please contact UPD immediately at (254) 501-5805.

Contact any of the following authorities:

Method	Contact
911	Report emergencies or non-emergency criminal violations from a public area, university building or cell phone
(254) 501-5805	Report non-emergency request for police services or information
Emergency Assistance Call Boxes (Blue Phones)	Immediate connection to 911
Other Police Departments	(254) 501-8830 – Killeen Police Department (254) 547-8222 – Copperas Cove Police Department (254) 953-5420 – Harker Heights Police Department (254) 933-5840 – Belton Police Department (254) 298-5500 – Temple Police Department (254) 698-6334 – Nolanville Police Department
In-Person	To contact a university police officer: The Robert M. Shoemaker Founders Hall Welcome Center Desk or Room 103 during normal business hours
Online	Email: dps@tamuct.edu
Anonymous	Report information about a crime anonymously at: https://www.tamuct.edu/police/silentwitness.html

Reporting Criminal Offenses to University Officials: Campus Security Authorities

Faculty, staff, community members, guests and students are encouraged to report all crimes and public safety related incidents directly to UPD. For non-campus offenses, we encourage accurate and prompt reporting to the appropriate local law enforcement agency. As an option, criminal offenses of which students and employees are aware may also be reported to the following Texas A&M University – Central Texas offices and personnel:

Department	Phone	Location
Student Affairs	(254)501-5909	Warrior Hall Room 105
Human Resources	(254)519-8610	Warrior Hall Room 424
Compliance Office	(254)519-5763	Robert M. Shoemaker Founders Hall Room 317
Title IX Office	(254)519-5716	Robert M. Shoemaker Founders Hall Room 317
University Police Department	(254) 501-5805	Robert M. Shoemaker Founders Hall Room 103

Crime reports provided to these, and other campus security authorities are used by the university to fulfill its responsibility to annually disclose accurate crime statistics and to issue or facilitate the issuance of timely warnings or emergency notifications. Campus security authority crime reports should include sufficient detail such as dates and locations, where appropriate, personally identifying information, including name and contact information, if available. Although statistical information is requested annually from these jurisdictions, UPD requests notification of the incident for follow-up and documentation purposes. The Campus Security Authority guidelines, duties and responsibilities are available online to review Clery Crimes at <https://www.tamuct.edu/police/campussecurityauthority.html>.

An annual training assignment and an email notification are sent from the Texas A&M University - Central Texas Human Resources department to notify CSAs of their responsibility. Although exempt from reporting requirements of the Clery Act, pastoral and professionally licensed mental health counselors are encouraged, if and when they deem appropriate, to refer persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual statistics and crime log, especially if the incident may pose an ongoing threat to the campus community. Counselors are provided a written reminder each year to review the reporting options with student clients. These and all such reports are compiled and coordinated through UPD.

The annual report includes statistics on reported crimes, arrests, and referrals for violations that occur on campus, non-campus and on public property contiguous to campus boundaries. The report reflects all reported violations occurring in these designated areas during the previous three years, whether or not a A&M-Central Texas student, faculty, or staff member was involved. The report is made available to prospective students and employees as well as current students, faculty, and staff.

Confidential and Anonymous Reporting of Crimes

The UPD encourages the victim or witness of any crime to promptly report the incident to the police department. Because police reports are public records under state law, UPD cannot hold crime reports in confidence. However, victims of certain offenses are eligible for a pseudonym in which the victim's true identity will not be released. An individual involved in or witnesses an active or ongoing emergency should dial 911 and immediately report the emergency.

Victims, witnesses, and others can generally make voluntary confidential reports for purposes of inclusion in the annual disclosure of crime statistics and crime log to A&M-Central Texas employees that are designated as campus security authorities. A&M-Central Texas will protect the confidentiality of victims to the extent permissible by law. Reports filed confidentially are counted and disclosed in the annual crime statistics for the University. The annual crime statistics and the crime log are confidential because personally identifiable information is not included in the disclosure.

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence or stalking to the fullest extent permissible by law. When a complainant does not consent to the disclosure of his or her name or other identifiable information of the alleged perpetrator, the university's ability to respond to the complaint may be limited.

Individuals may also report incidents or information anonymously at the UPD website through the Anonymous Reporting form (Silent Witness). The Silent Witness form is designed to provide UPD with crime tips, along with reports in which complete anonymity is desired. The Anonymous Reporting form can be found online at: <https://www.tamuct.edu/police/silentwitness.html>

Missing Students

The policy of A&M-Central Texas UPD is to thoroughly investigate all reports of missing persons. This agency considers a missing child and a mentally impaired adult, to be considered "at-risk" until significant information to the contrary is confirmed.

Students are encouraged to register their emergency contact information with the University Register's Office. This information will be kept confidential to the extent allowed by law, accessible only to authorized campus officials and disclosed only to law enforcement personnel in furtherance of a missing person investigation. If the missing person has designated an emergency contact person, the institution will notify the emergency contact person within 24 hours of a missing person report. Regardless of whether a student has designated an emergency contact person to be notified, if a student is under 18 years old and not an emancipated individual, Federal Law requires the institution notify a custodial parent or guardian within 24 hours of the determination that the student is missing in addition to notifying any contact person designated by the student.

Contact the University Registrar's Office, or Student Affairs with the following information upon receiving a report of a missing student:

- Gather needed information from the reporting person so that contact can be made with the missing person.
- If the missing person is not found within a reasonable amount of time or if anything concerning is found during the initial fact-finding, the report becomes an official missing student report. Any official missing student report must be referred immediately to the UPD with all information regarding the missing person to initiate an investigation.
- UPD will be provided with the missing person's emergency contact information.

UPD will notify local law enforcement within 24 hours of the determination that a person is missing. Whether the person has identified a contact person, is over the age of 18, or is an emancipated minor, UPD will inform the local law enforcement agency with jurisdiction in the area within 24 hours that the person is missing.

Timely Warning Policy

The UPD Chief of Police and Clery Compliance Coordinator will develop timely warning notices for the University community to notify students, faculty, and staff in a timely manner about serious crimes against people that occur on campus or contiguous to campus, where it is determined that the incident may pose a serious threat to members of the A&M-Central Texas community. The warning will be provided to students and employees in a manner that is timely and will withhold the names of victims as confidential and will aid in the prevention of similar occurrences. The warnings will be distributed if the incident is reported either to UPD directly or to UPD indirectly through a campus security authority or any local police agency. A&M-Central Texas is not required to issue a timely warning concerning crimes reported to a pastoral or professional counselor. Crime alerts may be issued on a case-by-case basis, pending information received by UPD. The Chief will determine if the Crime Alert release would compromise law enforcement efforts and determine the appropriate time for the release to be made.

Crime Alerts are issued through the SafeZone, and the university email system to students, faculty and staff in a manner that is timely, that withholds the names of the victims as confidential and that will aid in the prevention of similar occurrences. Anyone with information warranting a Crime Alert should report the circumstances immediately to UPD, by phone (254) 501-5805 or in person at UPD (1001 Leadership Place, Robert M. Shoemaker Founders Hall, Room 103, Killeen, TX 76549). Information regarding the Crime Alert may be forwarded to local media outlets through a formal press release.

Crime Alerts contain sufficient information about the nature of an identified threat to assist members of the campus community in taking appropriate action to protect themselves or their property. Crime Alerts include:

A readily understandable description of the type of crime or occurrence.

- The general location, date, and time of the offense.
- A physical description of the suspect(s), if available, when there is sufficient detail that would help identify a specific individual suspect or group of suspects.
- Possible connection to other incidents.
- Date and time the alert was issued.
- Suggested measures which members of the university community can take to help protect themselves.
- A brief description of the incident.
- Police agencies contact information.

It is important to note that in some cases, law enforcement may need to withhold some facts if releasing the information would compromise an ongoing investigation or the identity of the victim. Victim names and other identifying information of victims are never included in Crime Alerts. An institution is not required to provide a timely warning concerning crime reports to a pastoral or professional counselor.

UPD issues/posts Crime Alerts for incidents of

- Criminal Homicide
- Aggravated assault
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Crime Alert, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when, and where the incident occurred when it was reported, and the amount of information known by UPD)
- Major incidents of arson
- Other crimes as determined necessary by the Chief of Police or the Clery Compliance Coordinator

Crime Alerts may also be posted in campus buildings, when deemed necessary. When a Crime Alert is posted in a campus building, it shall be printed on white paper in red letters and be posted in the lobby/entrance area of the affected building(s).

The A&M-Central Texas UPD will not issue a Crime Alert if the subject(s) and the threat of imminent danger for members of the A&M-Central Texas campus community have been mitigated by apprehension or if the report was not filed with UPD in a manner that would allow the department to post a “timely” manner for the community.

Emergency Notification, Response and Evacuation

SafeZone is Texas A&M University – Central Texas emergency notification system that gives the university the ability to communicate health and emergency information through some or all of the following mechanisms: SMS text message, TAMUCT email, campus digital signage, computer pop-up messages, building fire alarm speaker systems, and the SafeZone Application Alert.

Texas A&M University - Central Texas will use the system to provide official notification of critical emergencies (i.e., situations that pose an imminent threat to the community). It is the policy of Texas A&M University - Central Texas to immediately notify the campus community, via the SafeZone Emergency Notification System, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Personnel from UPD and Safety and Risk Management coordinate to determine whether a significant emergency or dangerous situation exists by evaluating information received from entities which may include, but are not limited to law enforcement, fire department, National Weather Service, or other personnel from Safety and Risk Management.

The SafeZone emergency notification system does not replace the Crime Alert requirements. They differ in that the Crime Alert requirement applies only to Clery reportable crimes, while the emergency notification system addresses a much wider range of threats (i.e., gas leaks, tornadoes, active shooter, etc.). If an emergency notification is issued, the university is not required to issue a Crime Alert based on the same circumstances.

The generation of a SafeZone emergency alert message and the notification system’s activation is the responsibility of the UPD. Upon notification from an authorized UPD employee, the department will without delay, and taking into account the safety of the community, determine the content of the notification and initiate the SafeZone notification system; unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Victim names and other identifying information of victims are never included in emergency notifications.

Personnel authorized to make a final determination of a significant emergency or dangerous situation and issue a SafeZone alert are the Chief of Police, Clery Compliance Coordinator, Assistant Chief of Police, Safety and Risk Management Officer and the Vice President of Finance and Administration. SafeZone alerts can be issued to the entire campus community or specific campus population segments depending on the emergency situation or notification required.

In the event of a system problem, certain trained individuals from UPD can be called upon to issue the alert from a remote location.

Texas A&M University - Central Texas conducts monthly pre-scheduled testing of the emergency notification system. The Communications Division of UPD launches these monthly tests.

Registering for Emergency Notifications

Students, Faculty and Staff Access

The SafeZone emergency notification system allows students, faculty, and staff to receive text message alerts. Student accounts will be set up during the first week of classes each semester. Employees are registered with SafeZone at the time of their hire. SafeZone is a required training that will be assigned to all faculty and staff on a yearly basis.

Disseminating Information to the Larger Community

If a crisis occurs on university property, the Office of Communications & Advancement will be notified as soon as possible. As chief spokesperson(s) for the university, Communications & Advancement staff will be responsible for providing strategic direction and implementing protocols as outlined in the emergency communications plan. Communications and Advancement will work with the University's Chief of Police to prepare and disseminate internal and external messages, distribute news releases, respond to media inquiries, update the main university website with pertinent information, and share timely information as appropriate digital channels such as Twitter. Also, Communications & Advancement will be responsible for planning, scheduling, and providing logistical support for a news conference and coordinating communication efforts with relevant entities and organizations. In case of an emergency, Texas A&M University - Central Texas main website will be updated with current information about the incident, <https://www.tamuct.edu/index.html>. Individuals receiving the emergency notification will also be advised with updated information, as needed, using the same method(s) as the original notification.

Emergency Preparedness

The Office of Facilities, Safety & Support Services has the primary responsibility for emergency preparedness at Texas A&M University - Central Texas. Duties and responsibilities range from developing and maintaining emergency plans and planning building evacuations exercises.

The primary university plan is the Emergency Management Plan available at https://www.tamuct.edu/risk-management/docs/TAMUCT_Emergency_Management_Plan_05-03-2021.pdf. The Texas A&M University - Central Texas Emergency Management Plan describes the general framework for emergency response at Texas A&M University - Central Texas. Texas A&M University -

Central Texas tests various aspects of our emergency operations plan on at least an annual basis through table-top exercises, full-scale exercises, continuity exercises, and tests of the emergency notification system. These tests are designed to access and evaluate emergency plans and capabilities and are performed and documented with after action reviews. Testing reports and review documentation include a description of the exercise, the date the test was held, and the exercise's start and end time. All table-top, full-scale, and continuity exercises are announced. The Office of Facilities, Safety & Support Services also manages a building evacuation program to maintain and test building evacuation procedures annually for facilities through emergency evacuation drills.

The Daily Crime Log

The UPD Clery Compliance Coordinator publishes a Daily Crime Log that is available to the media, the public, and various campus offices free of charge. This summary identifies the nature of the crime, location, date, and time occurred, the date the crime was reported to the UPD, and disposition. You may review the Daily Crime Log via the UPD webpage at: <https://www.tamuct.edu/police/crimelog.html> or during regular business hours 8 to 5 Monday – Friday with the exception of university holidays. A printed copy may be viewed at the UPD office, Robert M. Shoemaker Founders Hall Room 103 or obtained by calling (254)501-5802.

Security of and Access to Campus Facilities

General Provisions

The A&M-Central Texas campus is a public and open campus. No effort is made to restrain the public from entering the campus; however, the UPD reserves the right to bar individuals who are considered a threat to the university community's well-being. The governing board of a state institution of higher education or its authorized representatives may refuse to allow persons with no legitimate business to enter on property under the board's control and may reject any undesirable person from the property on the person's refusal to leave peaceably on request. Identification may be required of any person on the property, and the person must provide that identification on request. ([Texas Education Code Section 51.209](#))

UPD provides 24-hour patrol of campus property and facilities. It is unlawful for any person to trespass on the grounds of any state institution of higher education of this state or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses, or flowers on the grounds of any state institutions of higher education. ([Texas Education Code Section 51.204](#))

Academic and Administrative Buildings

The campus of A&M-Central Texas is located within the City of Killeen and the public areas are therefore readily accessible. In general, academic and administrative buildings are open to the public, at a minimum, during normal business hours. Individual facilities may have specific hours of operation, which can vary depending upon factors such as the time of the year and operational requirements. Access to some buildings or portions of buildings may be limited to authorized personnel at various times. Electronic access control, locks and others means may be employed to limit access.

Parking Areas

There are five parking lots around the A&M-Central Texas campus. Parking permits are required on all vehicles parking on the campus property 24/7 unless the parking space is labeled as a visitor. All spaces designed by sign are subject to violation if the labeled sign is violated. Temporary permits are available at the Welcome Center located in Robert M. Shoemaker Founders Hall lobby. Violators of parking rules and regulations may be cited, booted, towed or a combination of all three. University Police Officer's generally are not assigned to specific academic or administrative buildings. However, they do patrol such areas regularly.

Maintenance of Campus Facilities

Contracted facilities personnel are responsible for maintaining the buildings, grounds, and custodial services for the A&M-Central Texas campus. The group addresses maintenance, renovation, and repair projects for facilities, custodial and landscaping. The campus is routinely inspected for environmental safety hazards such as insufficient lighting and overgrown shrubbery. Members of the University community are encouraged to report locations of concern.

Alcoholic Beverages, Illegal Drugs, and Weapons

Education Programs

Per the Drug-Free Schools and Communities Act, Texas A&M University - Central Texas reviews programs, services, and policies to prevent the unlawful possession, use, or distribution of alcohol and illicit drugs. The results of the biennial review are published at <https://www.tamuct.edu/student-affairs/index.html>.

Alcohol Policy

All university community members and guests must comply with federal and state laws regarding the possession, use, and service (including sales) of alcoholic beverages. (System Policy 34.02 Drug and Alcohol Abuse and System Policy 34.03, Alcoholic Beverages <https://www.tamus.edu/legal/policy/policy-and-regulation-library/>). In addition to these laws, the University prohibits possession, use, and distribution of alcoholic beverages on campus, or in university public buildings and public areas unless otherwise authorized and designated for alcohol use at special events. Also prohibited is making alcohol available to a minor and possession of alcoholic containers.

Illegal Drug Policy

Federal law prohibits the unlawful possession, use, sale, or distribution of drugs. Texas state law prohibits the possession, use, sale, manufacture, or delivery of a controlled substance without legal authorization. A controlled substance includes any drug, substance or immediate precursor covered under the Texas controlled Substances Act, including, but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens. Also prohibited under Texas state law is the possession of drug paraphernalia. Drug paraphernalia includes all equipment, products, and materials of any kind used to facilitate, or intended or designed to facilitate, violations of the Texas Controlled Substances Act. According to System Policy 34.02 Drugs and Alcohol Abuse <https://www.tamus.edu/legal/policy/policy-and-regulation-library/> all students and employees are expected to abide by federal and state laws on controlled substances and illicit drugs. Alleged violations of these laws on university property or property under the control of A&M-CENTRAL TEXAS or at any event sponsored by the University or any University student organization, whether or not; conducted on university property, including student travel on behalf of the University, is prohibited and may result in criminal charges and also be adjudicated through university conduct procedures.

Substance Abuse and Education

A&M-CENTRAL TEXAS strives to promote good physical health and safety of all students and employees and provide an outlet for understanding drug and alcohol abuse's effects and physical cost. All employees are notified of the Texas A&M University System policy 34.02 Drug and Alcohol Abuse and regulation (34.02.01.D1 Drug and Alcohol Abuse and Rehabilitation Programs <https://www.tamuct.edu/compliance/rules-and-saps.html> regarding drug and alcohol abuse upon hire and annually thereafter.

Resources related to AOD

National Institute of Drug Abuse <https://www.drugabuse.gov/>

ULifeline: <http://www.ulifeline.org/texasamcentraltexas/>

Alcoholics Anonymous (866) 641-9190

Pathways Group Counseling Center

<https://pathwaysgroupcc.com/>

(254) 228-5830

Alcohol & Drug Abuse Hotline (888) 302-0696

Mental Health / Substance Abuse

<https://www.usa.gov/mental-health-substance-abuse>

(844) 872-4681

Weapons Policy

Per [Texas Penal Code Ch. 46.03](#), it is a felony to intentionally, knowingly, or recklessly possess a firearm, location-restricted knife, club, or prohibited weapon on the physical premises of a school or educational institution, to include any grounds or buildings on which an activity sponsored by the school or educational institution is being conducted, or a passenger vehicle under the direct control of the educational institution. The following exception applies: a license to carry holder under Chapter 41, Texas Government Code, may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of A&M-Central Texas (all land and buildings owned or leased by A&M-Central Texas) or in a university vehicle unless prohibited by state law, federal law or University Rule 34.06.02.D1 Carrying Concealed Handguns on Campus <https://www.tamuct.edu/police/campus-carry.html>. A license holder is prohibited from carrying a concealed handgun anywhere on campus that a [30.06](#) sign is posted.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

In accordance with federal law and Texas A&M University System Regulation 08.01.01 Civil Rights Compliance, Texas A&M University - Central Texas prohibits discrimination and harassment including sexual assault, dating violence, domestic violence, stalking (as those terms are defined for the purposes of the Clery Act) and/or related retaliation. The following are statements of policy that address discrimination, harassment (including non-consensual sexual contact, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, quid pro quo and hostile environment sexual harassment), and retaliation as prohibited conduct. The policies apply whether the prohibited conduct occurs on or off campus and when it is reported to the university.

For a complete copy of the Texas A&M University System’s policy governing sexual misconduct visit **TAMUS policy/regulation** at <https://www.tamus.edu/legal/policy/policy-and-regulation-library/> for **Civil Rights Compliance 08.01.01**

For a complete copy of A&M-Central Texas rule governing sexual misconduct, **Civil Rights Compliance 08.01.01.D1**, visit <https://www.tamuct.edu/compliance/rules-and-saps.html>

For a complete copy of A&M-CENTRAL TEXAS’s Code of Student Conduct, <https://www.tamuct.edu/student-affairs/student-conduct.html>

Procedures for Reporting Sexual Assault, Dating Violence, Domestic Violence, Stalking and Related Retaliation

Individuals have the option of notifying both on-campus law enforcement and local law enforcement authorities to report sexual assault, dating violence, domestic violence or stalking. Below is a list of local law enforcement agencies. Reports should be filed with the agency where the incident occurred.

Agency	Location	Phone
University Police Department	Founders Hall Room 103	(254) 501-5805
Killeen Police Department	Killeen, Texas	(254) 501-8830
Belton Police Department	Belton, Texas	(254)933-5840
Copperas Cove Police Department	Copperas Cove, Texas	(254) 547-8222
Temple Police Department	Temple, Texas	(254) 298-5500
Georgetown Police Department	Georgetown, Texas	(512) 930-3510

UPD is available to receive and investigate reports of sexual assault, dating violence, domestic violence, and stalking; assist in securing medical attention; participate in evidence preservation and collection; conduct criminal investigations of crimes; and inform the individual of legal and administrative options both on and off campus. Criminal investigations may occur independent from a conduct proceeding and are handled in accordance with the Texas Penal Code, the Texas Code of Criminal Procedure, and information from the Bell County and District Attorney Offices. Law enforcement will help individuals understand the process of obtaining protective orders, restraining orders, or similar lawful orders issued by the courts.

All Texas A&M University-Central Texas Employees¹ are mandatory reporters who must report all known information about an alleged or suspected incident of discrimination, harassment, or

¹ Exceptions include confidential employees and are described in the “Confidentiality/Privacy” section of this report.

retaliation that is experienced, observed by or made known to an employee in the course and scope of their employment as soon as possible to the Title IX Coordinator or Deputy Title IX Coordinator.

An employee is not required to report an incident where: (1) the employee was a victim of sexual harassment, sexual assault, dating violence, domestic violence, or stalking; (2) the incident about which the employee received information was due to a disclosure made at a sexual harassment, sexual assault, dating violence, domestic violence, or stalking public awareness event sponsored by the university or by a student organization affiliated with the university; or (3) the person has either learned of the incident during the course of their employer's review or process, or has confirmed with the designated office overseeing the review or process, that the incident has been previously reported.

An employee's failure to report alleged or suspected discrimination, harassment, retaliation, or complicity may result in disciplinary action, including termination of employment. An employee must be dismissed if, in accordance with disciplinary processes, the employee is determined to have knowingly failed to make a required report, or that employee, with the intent to harm or deceive, knowingly made a report that is false. Notwithstanding the above mandatory reporting requirement for employees, anyone may report matters which they believe are criminal to the appropriate local law enforcement agency.

Employees who are also students will have their status in the civil rights process determined by the context of the allegations; these individuals are subject to civil rights processes, as well as student conduct and employment standards.

Students and third parties are strongly encouraged, but not required, to report prohibited conduct.

At Texas A&M University - Central Texas, reports that a student, employee, or third party has engaged in prohibited conduct should be made to the appropriate office as follows:

Institutional Compliance

Title IX Office

Robert M. Shoemaker Founders Hall, RM 317B

1001 Leadership Place

Killeen, Texas 76549

(254) 519-5716

titleix@tamuct.edu

compliance@tamuct.edu

Website Reporting Forms:

https://cm.maxient.com/reportingform.php?TAMUCentralTexas&layout_id=4

The Title IX Coordinator and Chief Compliance Officer are responsible for (1) overseeing A&M-Central Texas civil rights protection program (2) ensuring that all allegations of discrimination are promptly, thoroughly, equitably and investigated and resolved in accordance with A&M System Regulation 08.01.01, Civil Rights Compliance. The Chief Compliance Officer and/or Title IX Coordinator will periodically follow up on situations in which discrimination has been found, to ensure that the situation does not recur.

The Director of Human Resources, Institution Compliance, and the Title IX Coordinator have been designated to receive and investigate all complaints involving employee or third-party respondents in accordance with System Regulation 08.01.01, Civil Rights Compliance. However, reports that the following individuals have engaged in conduct prohibited by this policy the Texas A&M University – Central Texas; Chief Executive Officer (CEO), an employee who reports directly to a CEO, or the Title IX Coordinator should be made to:

Texas A&M System Ethics and Compliance Office (SECO)

301 Tarrow, 6th floor College Station, TX 77843

(979) 458-6120

civilrightsreporting@tamus.edu

Complaints alleging discrimination against an employee, or third party must be reported as soon as possible to the Director of Human Resources, and Deputy Title IX Coordinator, Chief Compliance Officer, or the Title IX Coordinator.

Complaints alleging discrimination against a student must be reported as soon as possible to the Associate Dean of Student Affairs and Deputy Title IX Coordinator, or the Title IX Coordinator.

Additional options for reporting to the university include:

- Submitting an anonymous report through Ethics Point, an anonymous electronic reporting option. Anonymous reporting may limit the university's ability to respond to the allegation.
- Submitting an electronic report through the reporting forms found at https://cm.maxient.com/reportingform.php?TAMUCentralTexas&layout_id=4

Individuals may file a complaint at any time with any local, state or federal civil rights office, including, but not limited to, the Equal Employment Opportunity Commission, the Texas Workforce Commission's Civil Rights Division, the U.S. Department of Education's Office of Civil Rights, and the U.S. Department of Justice.

Although a report of conduct prohibited by this policy may be made at any time, regardless of when the conduct occurred, a report should be filed as soon as possible after the actions that caused the report. Prompt reporting assists investigators in the collection and preservation of evidence.

Upon receipt of a complaint the Title IX Coordinator, Chief Compliance Officer, or Designee will conduct an initial assessment into the allegation(s). As part of the initial review, written notification of available resources, rights, and options to each individual reporting discrimination, harassment, or retaliation. In all sex-based complaints, the Title IX coordinator or designee, will take the following steps: (1) inform the individual reporting of the right to file a complaint with law enforcement (if applicable) in addition to filing a complaint with Title IX, (2) provide assistance in notifying UPD or appropriate law enforcement authorities if the individual so chooses, (3) inform the individual of the right to decline to contact law enforcement, and (4) inform the individual of the formal complaint process. The Title IX Coordinator or designee will offer the opportunity to request supportive measures to provide for the safety of the individual and campus community.

The Title IX Coordinator, or Designee will also take steps to advise about: (1) the importance of preserving evidence, if applicable, that could assist in proving that a criminal offense occurred, may be helpful in obtaining a protective order, or assist in an investigation; (2) the university's procedures for investigation and options for formal and informal resolutions; and (3) the university's prohibition against retaliation.

What to do following an incident of Sexual Assault, Dating Violence, Domestic Violence or Stalking

A member of the Texas A&M University - Central Texas community who has been sexually assaulted or has been victimized by domestic violence, dating violence, or stalking, is strongly encouraged to make a report to activate the appropriate response and support, as soon as possible, at any time of the day or night to the University Police Department (254) 501-5805 and/or to local law enforcement by calling 911. Students may also contact the Office of Student Conduct at (254) 501-5909. When a sexual assault survivor contacts the University Police Department, the Director of the University Counseling Center also may be notified, depending on the wishes of the reporter. University counseling staff can guide the survivor through the available options and support the victim in his/her decisions. The survivor also will be encouraged to access the counseling services offered through the Student Wellness & Counseling Center at (254) 501-5955. Their on-campus contact information can be found at: <https://www.A&M-Central Texas.edu/student-affairs/student-counseling.html>. In accordance with University Rule, 08.01.01.D1, Civil Rights Compliance, a report will be made to the Title IX Office.

A member of the Texas A&M University - Central Texas community who has been sexually assaulted or has been victimized by domestic violence, dating violence, or stalking, is strongly encouraged to:

1. Ensure their safety, Go to a safe place as soon as you can.
2. Contact the Police Department at 911 (or by using one of the on-campus **Emergency Blue Light Phones**).
3. Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action.

Baylor Scott & White Medical Center in Temple is the community's designated forensic nursing facility offering a 24/7 program with trained Sexual Assault Nurse Examiners (SANE) and a forensic unit that provides detailed physical examinations, evidence collection, and expert testimony. Go to the hospital's emergency room and request to be seen by a SANE nurse. A forensic examination can also be performed for victims of a sexual assault up to 120 hours after the assault.

4. Try to preserve all physical evidence. Do not wash, use the toilet, swim, brush your teeth, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic bag.

5. Preserve evidence by saving text messages, instant messages, social networking pages, communications, pictures, or other documents, if any, that would be useful to police or investigators.
6. University Personnel are available to help explain options, give information, provide resources, and provide emotional support. Personnel include Title IX Coordinator at (254) 519-5716, Student Wellness & Counseling Center (SWACC) at (254) 501-5955, UPD (254) 501-5805, and the Student Support Advocate at (254) 501-5978.
7. Off campus resources include Families in Crisis at (254) 634-1184 and Aware Central Texas at (254) 813-0968.

Medical Treatment

It is important to seek immediate and follow-up medical attention for several reasons: first, to assess and treat any physical injuries sustained; second, to test for sexually transmitted infections or pregnancy and treat or take preventive measures; and third, to gather and preserve evidence that may assist in proving that the alleged criminal offense occurred or is occurring and may be helpful in obtaining a protective order. Physical evidence should be collected immediately, if possible, within the first 24 hours. It may be collected up to 120 hours later, but the quality and quantity of the evidence may be diminished. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection. Evidence from SANE exams is maintained for five years if the victim chooses not to pursue legal action immediately.

Confidentiality/Privacy and Confidential Reporting Options

Students and employees have the option to disclose incidents to confidential reporters² who are employees designated or permitted by the university to receive complaints of discrimination, harassment, retaliation, and maintain confidentiality. Confidential reporters include, but are not limited to, licensed health care personnel and certain mental health providers (professional psychologists/counselors) who receive reports when acting within the course and scope of their employment as part of their official employment. When an individual shares information with a confidential reporter, the confidential reporter cannot legally disclose the communication to another person or the institution except under very limited circumstances. Such information could be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the party poses an imminent danger to themselves or others; (3) the information concerns conduct involving suspected abuse or

² See page 17 for confidential reporter definitions

neglect of a minor under the age of 18, the disabled, or the elderly; or (4) required by law.

Confidential reporters are required to provide general non-identifying information as required to comply with the Clery Act and other applicable laws/regulations and Confidential Reporters must report de-identified statistics to the Title IX Coordinator for any type of sex-based incident made known to them and may not include any information that would violate that person's expectation of privacy. Publicly available recordkeeping, including Clery Act reporting and disclosures, must not include personally identifying information. Incidents are shared in a way that does not identify the individuals. For example, licensed healthcare providers share de-identified information regarding conduct that may be a statistic in the Clery Annual Security Report and/or disclosed in the daily crime log without identifying the individuals concerned. Additionally, researchers are deemed confidential only when the research project is federally funded and the identity of research subjects on the specific project are deemed confidential by law

At Texas A&M University-Central Texas, the following are departments/positions are confidential reporters for students - SWACC (254) 501-5955; Student Support Advocate (254) 501-5978 for employees and the employee's benefits-eligible dependents - The Work/Life Solutions Program by Guidance Resources (1-866-301-9623). Confidential reports are available to support both complainants and respondents.

All other employees informed of possible discrimination, harassment, retaliation, and/or complicity should advise the reporting party that they cannot keep the information confidential and are required to report it to the university Title IX Coordinator or Deputy Title IX Coordinator. Employees should inform the reporting party where confidential guidance can be obtained, such as the student counseling center, Student Support Advocate, or employee assistance program. To the extent possible, the university will protect the privacy of all parties to the report (see definition of private³).

Employees receiving a complaint under this policy may not disclose the identity of the complainant to any law enforcement authority unless:

- expressly authorized by the complainant.
- imminent threat to health or safety exists; or
- required by law.

Requests from complainants to withhold any name, or a request not to investigate or seek action against the respondent, will be considered by the university in the context of the university's duty to provide a safe and nondiscriminatory work, educational, and campus living environment. This may require that the university take actions when the complainant requests

³ Private – that which affects, characterizes, or belongs to an individual person, as opposed to the general public. With respect to this regulation, private means restricting information to those with a reasonable need to know.

no action, such as when violence is involved, when the threat of violence exists, or when required by law, as in the case of elderly, disabled, or child abuse. A request to withhold information or not to investigate the alleged misconduct may limit the university’s ability to respond.

Although individuals reporting sexual assault are not required to file criminal charges, the following program is offered in the State of Texas. In accordance with the Texas Code of Criminal Procedure, Chapter 57, when reporting certain sex offenses to a Texas law enforcement agency, victims may use a pseudonym to protect their identity. The offenses applicable to this program are identified in Chapter 62 of the Texas Code of Criminal Procedure, defined by the Texas Penal Code, and include sexual assault. The pseudonym will replace the victim’s name in all public files and records concerning the offense, including police records, press releases, and records of judicial proceedings.

Resources, Rights, and Options

Following an allegation of sexual assault, dating violence, domestic violence, stalking and/or retaliation the complainant, the respondent, and other affected individuals have certain resources, rights, and options available to them. Parties with an inquiry or complaint are informed of resources, rights, and options in writing when the Title IX Office receives notification of an incident whether it occurred on or off campus and regardless of whether the individual elects to pursue a criminal complaint or disciplinary measures. Other personnel likely to receive reports of conduct prohibited by this policy include Student Affairs, Human Resources and UPD and may also provide resources, rights, and options in writing. Available assistance information is also shared through prevention and awareness education and can be found on the Title IX webpage at <https://www.tamuct.edu/compliance/titleix.html>. Additional information about any of the resources, rights, and options discussed in this section can be requested from the Title IX Office.

Law Enforcement

Agency	Phone	Agency	Phone
University Police Department	(254) 501-5805	Copperas Cove Police Department	(254)547-8222
Killeen Police Department	(254) 501-8800	Harker Heights Police Department	(254)953-5400

Counseling (Confidential)

Name	Phone	Address	Website
Work/Life Solutions Program (for employees)	(866) 301-9623		https://www.tamuct.edu/human-resources/benefits/employee-assistance.html
Student Wellness and Counseling Center	(254) 501-5955	Student Affairs M-F 8am – 5pm	https://www.tamuct.edu/student-affairs/student-counseling.html

Medical and Health Services

Name	Phone	Address	Website
Advent Health Central Texas	(254) 526-7523	2201 S. Clear Creek Rd, Killeen, TX	www.adventhealth.com
Carl R. Darnall Army Medical Center	(254) 288-8000	36065 Santa Fe Ave. Ft. Hood, TX	https://www.crdamc.amedd.army.mil/Default.aspx
Baylor Scott & White Medical Center – Temple	(254) 724-2111	2401 S. 31 st Street, Temple, TX	https://www.bswhealth.com/locations/temple
Seton Medical Center	(254) 690-0900	850 W. Cen TX Expy Harker Heights, TX	https://setonharkerheights.net/

Support, Advocacy, and Other Resources

Name	Phone	Address	Website
Student Affairs	(254) 501-5909	A&M-Central Texas Campus,	https://www.tamuct.edu/student-affairs/index.html

		Warrior Hall 105	
Student Success	(254) 501- 5836	A&M- Central Texas Campus Warrior Hall 212	https://www.tamuct.edu/student-affairs/student-success.html
Student Financial Assistance	(254) 501- 5854	A&M- Central Texas Campus Robert M. Shoemaker Founders Hall 108	https://www.tamuct.edu/financial-aid/index.html
Access and Inclusion	(254) 501- 5836	A&M- Central Texas Campus Warrior Hall 212	https://www.tamuct.edu/student-affairs/access-inclusion.html
Student Wellness & Counseling Center (Confidential)	(254) 501- 5955	A&M- Central Texas Campus Warrior Hall 207L	https://www.tamuct.edu/student-affairs/student-counseling.html
Student Support Advocate (Confidential)	(254) 501- 5978	A&M- Central Texas Campus Robert M. Shoemaker Founders Hall 317	https://www.tamuct.edu/compliance/titleix.html
National Sexual Assault Hotline	(800) 656- 4619 24/7 hotline		https://www.rainn.org/
Aware Central Texas – Killeen	(254) 813- 0968	2408 S. Clear Creek	https://www.awarecentraltexas.org/

	24/7 hotline (254) 213- 2986	Rd Ste 201, Killeen, TX	
Aware Central Texas – Belton	(254)813- 0968 24/7 hotline (254) 939- 7582	903 N. Main St. Belton, TX	https://www.awarecentraltexas.org/
Families in Crisis	(254) 634- 1184 (254) 773- 7765 24/7 hotline (888) 799- SAFE (7233)		http://familiesincrisis.net/
National Domestics Violence Hotline	(800) 799- 7233 TTY (800) 787-3224 24/7		https://www.thehotline.org/
University Police Department	(254) 501- 5805	A&M- Central Texas Campus Robert M. Shoemaker Founders Hall 103	https://www.tamuct.edu/police/index.html
Killeen Police Department Victim’s Assistance	(254) 501- 7698	3304 Community Blvd, Killeen	https://www.killeentexas.gov/280/Victims-Assistance
Bell County Victim Services Division	(800) 460- 2355 ex 5235	1201 Huey Rd Ste 2100, Belton, TX	https://www.bellcountytexas.com/county_government/district_attorney/victim_services_division.php
Fort Hood Victim	(254) 287- 3583	Darnall Loop Bldg 36000 2 nd	https://hood.armymwr.com/programs/victim-advocacy-program

Advocacy Program		Floor, Ft. Hood,	
Coryell County Crime Victim Assistance	(254) 865-5911 ex 2312	203 S. 7 th Street, Gatesville, TX	https://www.coryellcounty.org/page/coryell.Crime
Healthy Homes and Crime Victims Assistance	(254) 953-5600	402 Indian Trail, Harker Heights, TX	https://harkerheights.gov/index.php/healthy-homes

Institutional Rights and Options (Interim Measures)

The institution is obligated to offer and provide assistance to students, employees, and third parties in obtaining a range of supportive measures. Supportive measures are intended to restore or preserve equal access to the workplace and educational programs or activities without unreasonably burdening the other party; stop and prevent the reoccurrence of discrimination, harassment, and/or retaliation; and support the complainant and respondent during the investigation and resolution process. Supportive measures are non-disciplinary, non-punitive individualized services. Supportive measures are offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent.

In all complaints of discrimination, harassment, and/or retaliation, the Title IX Coordinator, Chief Compliance Officer or Designee promptly contacts the parties to discuss the availability of supportive measures, considers the parties’ wishes with respect to supportive measures, informs the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explains to the complainant the process for filing a formal complaint. The university must maintain the privacy of any supportive measures provided to the complainant or respondent to the extent that maintaining such privacy would not impair the ability of the university to provide supportive measures.

The Deputy Title IX Coordinator, Title IX Coordinator, Chief Compliance Officer, or Designee is responsible for coordinating the effective implementation of supportive measures. In addition to facilitating supportive measures, The Title IX Coordinator, Chief Compliance Officer, or Designee can provide parties with information about counseling, mental health, victim advocacy, impact of a leave of absence on student financial aid, and other services available to complainants and respondents (on campus and in the community). The Deputy Title IX Coordinator, Title IX Coordinator, Chief Compliance Officer, or Designee will also notify the parties that options such as protective orders and criminal trespass warnings may be available through law enforcement agencies and the judicial system. A party may request a supportive measure through Institutional Compliance (254) 519-5716 at any time, regardless of whether a

formal complaint has been filed and regardless of whether the individual chooses to report the incident to law enforcement or pursue disciplinary remedies.

The Deputy Title IX Coordinator, Title IX Coordinator, Chief Compliance Officer, or Designee can assist with supportive measures that may include but are not limited to changes to academic and working situations or supportive measures according to the list below. Parties seeking a supportive measure should discuss their options with Title IX Coordinator, Chief Compliance Officer, or their Designee.

Supportive measures provided by the institution vary and may include, but are not limited to, the following:

- Assistance in obtaining access to medical, mental health, legal (protective orders and criminal trespass warnings available through law enforcement and the judicial system), counseling support, victim advocacy, and financial aid guidance;
- Extension of deadlines or other course-related adjustments, e.g., in cases in which a student complainant and student respondent are enrolled in the same course, either student may elect to drop the course without any academic penalty;
- Modification of work or class schedules;
- Campus escort services;
- Mutual no contact restrictions between the parties as described below;
- Changes in work locations;
- Leaves of absence;
- Increased security and monitoring of certain areas of campus or workplace; or
- Other similar measures;

Mutual No Contact Restriction: A mutual no contact restriction is a supportive measure issued by the institution that prohibits two parties from contacting one another through any means. Mutual no contact restrictions can be issued in addition to court ordered protection but may also serve as an alternative for those who do not want to seek a court order. A complainant or a respondent can request a mutual no contact restriction through the Student Affairs Office, Associate Dean of Student Affairs and Deputy Title IX Coordinator at (254) 501-5877. The Associate Dean of Student Affairs and Deputy Title IX Coordinator may issue a mutual no contact restriction at any time prior to or during a conduct investigation based on information provided by the requester. If good cause for a mutual no contact restriction is determined both parties are notified of the restrictions in writing. Mutual no contact records are maintained in the Student Affairs tracking system.

Individuals should be aware that direct contact, refusal to leave a protected area, appearing at a location one reasonably knows the protected party is at, third-party contact, or even an anonymous contact are all potential violations of a mutual no contact restriction. Violations should be reported to Associate Dean of Student Affairs and may result in further disciplinary

action. Failure to comply with the terms of supportive measures such as mutual no contact restrictions may be considered a separate violation of System Policies and Regulations and University Rules and Procedures.

The Associate Dean of Student Affairs along in consultation with the Behavioral Intervention Team (BIT) may remove a student from an education program or activity on an emergency basis only after an individualized safety and risk analysis has determined that the student is an immediate threat to the physical health or safety of any other student or individual arising from the allegations. The Associate Dean of Student Affairs must provide the removed student with notice and opportunity to challenge the decision immediately following the removal. Upon being removed, the removed student must be granted the opportunity for a hearing within 5 business days to review whether or not the removal is warranted. The outcome of this hearing is not subject to appeal and is not a disciplinary action.

The interim removal does not replace the investigation and resolution process. The investigation and resolution process shall proceed as outlined in this policy, except that the timelines referenced in this policy may not be followed and the allegations will be resolved as soon as possible.

Interim Administrative Actions for Employees: In accordance with university rules and SAPs, Human Resources or Institutional Compliance may request that an employee be placed on leave, suspended with pay, reassigned and/or placed in another type of temporary status pending completion of the investigation and resolution process. Human Resources may also issue interim restrictions to an employee, which include, but are not limited to, contact restrictions (no-contact directives); representation of the university' "no trespass" orders, etc. Such interim actions will remain in place as specified in a notification to the employee or until the allegations are resolved.

The Title IX Coordinator or designee is responsible for coordinating the effective implementation of supportive measures. Failure to comply with the terms of supportive measures such as mutual no contact restrictions may be considered a separate violation of system policies and regulations and member rules and procedures. In cases in which a student complainant and student respondent are enrolled in the same course, either student may elect to drop the course without any academic penalty.

Confidentiality/Privacy of Accommodations and Supportive Measures:

Texas A&M University-Central Texas will maintain the privacy of any supportive measures provided to the complainant or respondent to the extent that maintaining such privacy would not impair the ability of the member to provide supportive measures.

Legal Rights and Options

The institution provides information and assistance to the complainant, the respondent, and other affected individuals in obtaining lawful orders issued by a criminal, civil, or tribal court including protective orders and criminal trespass warnings as discussed below. Failure to comply with any of the terms of lawful supportive measures may be considered a separate violation in the institutional disciplinary proceeding.

Protective Orders: Individuals may apply for protective orders through the Texas criminal justice system. A protective order is an interim protective measure that requires the recipient to stay away from the protected individual's home, workplace, and/or children's schools (if the children are protected persons in the order) depending on the documented circumstances. It can require the recipient to stop communicating with the protected individual in a harassing or threatening manner, attend counseling, pay child support, and/or pay spousal support. An application for a protective order may be filed by an individual, a prosecuting attorney, or the Texas Department of Family and Protective Services (1-800-252-5400) on behalf of an individual. The application is obtained through the county attorney (Bell County District Clerk's Office – (254)933-5197). UPD (254)501-5805) will also provide assistance in applying for protective orders. Forms associated with applying for a protective order are found on the following webpages: <https://texaslawhelp.org/protection-from-violence-or-abuse>.

The application for a protective order must be filed in either the county where the applicant lives or the county where the recipient lives. The applicant's address can be kept confidential. If the legal criterion for a protective order is met, the county or district attorney's office will prepare and file all of the paperwork necessary to request a protective order from a court. Such orders provide effective tools for law enforcement when they are called upon to protect an individual and their family. Additionally, an emergency protective order may be recommended and automatically issued by the court following the original report and arrest of the respondent. A hearing is held at a later date to determine if the order should be extended or modified.

UPD is notified of protective orders that exist on the campus. Local law enforcement agencies are also notified of all existing protective orders in their area. If the requestor or other institutional personnel become aware that a protective order is violated, UPD should be contacted immediately at (254) 501-5805. Responding agencies can also be contacted for protective order violations including Killeen Police Department (254) 501-8800), Temple Police (254)298-5500), or the Bell County Sheriff's Department (254) 933-5412). Violating protective orders generally carry authority for the violator's immediate arrest by UPD or other law enforcement agencies.

Types of Protective Orders

Type	Who can File	Length	Requirements
Magistrate's Order for Emergency Protection	Victim of family violence, sexual assault, or stalking	31-61 days; with deadly weapon 61-91 days	Offender must be arrested
Temporary Ex Parte	Minor or adult victim of family/dating violence, sexual assault, or stalking	Until the hearing for final protective order usually 20 days	Finding of clear and present danger of family violence, sexual assault, or stalking
Family Violence Protective Order	A minor or adult victim of family/dating violence	Two or more years	Finding that family/dating violence has occurred and is likely to occur in the future
Sexual Assault Protective Order	A minor or adult victim of sexual assault	Any duration or two years if not specified	Reasonable grounds to believe the applicant is a victim of sexual assault
Stalking Protective Order Code of Criminal Procedure Ch. 7A	An adult or minor victim of stalking, or prosecutor acting on behalf of victim	Any duration or two years if not specified	Reasonable grounds to believe the applicant is a victim of stalking
Stalking Protective Order Code of Criminal Procedure Art. 6.09	An adult or minor victim of stalking whose offender has been criminally charged with stalking	Two or more years	Probable cause to believe that stalking occurred, and the defendant is likely to stalk in the future

Criminal Trespass Warning: A criminal trespass warning is a supportive measure issued by UPD which is directed at those who are considered a danger to the campus community or a danger to a certain individual in the campus community. The warning advises the respondent to leave the premises and forbids him/her from entering and/or remaining on certain property which can cover either the entire campus or a specific campus location. To request a criminal trespass warning, contact UPD at (254)501-5805 and request to speak with an officer. The UPD officers issues the criminal trespass warning if the respondent is determined to pose a risk to campus safety based on the information provided by the requestor as it relates to applicable state law and/or UPD policy. When the warning is issued, the officer is responsible for providing notice to the requestor and the person receiving the warning.

UPD officers are notified of criminal trespass warnings that exist in their area. If a criminal trespass warning is violated, UPD should be contacted immediately at 254-501-5805. A violation of the criminal trespass warning occurs when the individual is issued a warning but refuses to leave campus or is subsequently found in a prohibited area based on the trespass warning. The requestor and other institutional personnel should take appropriate action by contacting UPD for a responding officer when they become aware of a potential violation of a criminal trespass warning. UPD generally enforces these warnings by charging violators with criminal trespass resulting in arrest and/or fine.

Other Legal Options: Texas Crime Victim's Rights, Texas Crime Victims Compensation Fund and other information upon request. Or visit the Office of the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation>.

Investigations and Disciplinary Proceedings for Sexual Assault, Dating Violence, Domestic Violence, Stalking and Related Retaliation

Proceedings from an allegation of sexual assault, dating violence, domestic violence, or stalking are provided in a prompt, fair, and impartial manner from the initial investigation to the final result, including any appeals. University Rule 08.01.01.D1, Civil Rights Compliance provides that:

- Both the complainant(s) and the respondent(s) must receive equitable treatment in all facets of the investigation and resolution process including, but not limited to, the right to an advisor (if requested), the right to present evidence and witnesses, and the right to be informed of the outcome of the investigation.
- Timely and equal access to any information (inculpatory and exculpatory) discovered during the investigation as well as any information that will be used during informal and formal disciplinary meetings and hearings will be provided to the complainant, respondent, and appropriate officials.
- During the investigation the complainant and respondent have timely notice of meetings at which the complainant, respondent, or both, may be present.
- Determinations use the preponderance of the evidence standard, i.e., what is more likely than not to be true, based on the totality of the available evidence.
- If the respondent has multiple roles at the university, such as when the respondent is both a student and an employee, the Chief Compliance Officer will consult System Ethics and Compliance Office (SECO) and with other relevant university officials and determine which procedure(s) to follow in the investigation and resolution of the allegations of prohibited conduct as well as other policy violations. The Chief Compliance Officer will

consider the known facts and circumstances, including which role predominates in the context of the prohibited conduct.

Individuals conducting investigations and other decision makers, at a minimum, receive annual training on the issues related to sexual assault, dating violence, domestic violence, and stalking and how to conduct an investigation and the hearing process that protects the safety of victims and promotes accountability. All of those involved in the administration of civil rights complaints at the university (including but not limited to: reporting, administering, investigating, adjudicating, advising, and informal resolution) complete annual training specific to their roles in accordance with requirements established by SECO in System Regulation 08.01.01, Appendix B, Minimum Training Requirements for Civil Rights Investigations, Advisement, Adjudication, Appeals, and Informal Resolution in The Texas A&M University System. Minimum training requirements include university rules and procedure, applicable federal and state laws, how to conduct comprehensive civil rights investigations and prepare reports, trauma-informed investigation techniques and considerations, due process protections, how to value and weigh evidence and assess credibility, sanctioning, appellate processes, etc.

Complaints are initially reviewed by the Title IX Coordinator, to assess and address safety, and to determine whether a violation of the System Regulation 08.01.01 and/or University Rule 08.01.01.D1 and/or any other university rule, SAP, code, or policy could have occurred. During the initial review and preliminary assessment, the Title IX Coordinator will:

- Inform the complainant about options for formal and informal resolutions and solicit the complainant's preferred method for resolving the matter. Complainants may request a formal resolution, an informal resolution, or "no resolution" of the allegations of discrimination, harassment, retaliation, and/or complicity.
- Offer assistance to the complainant in submitting a written formal complaint that details the nature and circumstances of the allegations, including the names of the complainants and respondents.
- Offer supportive measures to the complainant

No Investigation

No investigation requests made by the complainant will be considered by the Title IX Coordinator in the context of the university's duty to provide a safe and nondiscriminatory work, educational, and campus living environment. This may require that the university take

actions when the complainant requests no action, such as when violence is involved, when the threat of violence exists, or when required by law, as in the case of elderly, disabled, or child abuse. A request to withhold information or not to investigate the alleged misconduct may limit the university's ability to respond. Circumstances to be considered are listed below:

- The nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- The respective ages and roles of the complainant and respondent;
- Whether there have been other reports of prohibited conduct or other misconduct by the respondent;
- Whether the report reveals a pattern of misconduct related to prohibited conduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- Fairness considerations for both the complainant and the respondent;
- Whether the university possesses other means to obtain relevant information and evidence;
- The university's obligation to provide a safe and non-discriminatory environment.
- Admissions of responsibility by the respondent, if any; and
- The impact of honoring the request on the complainant and the university community, including the risk of additional violence.

At any time prior to the determination of a final decision, the parties may seek informal resolution to resolve the complaint. The following conditions apply to informal resolution:

- Informal resolution is a voluntary process. No party may be compelled to participate in informal resolution. The university, in consultation with SECO, must agree to allow an informal resolution to move forward and must obtain the parties' voluntary, written consent to the informal resolution process.
- Prior to an informal resolution, the parties will be provided with: (a) written notice of the allegations; (b) the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; and (c) the consequences of withdrawing from the informal process and resuming the formal process, and including the records that will be maintained or could be shared.
- Once a party agrees to participate in informal resolution, they may withdraw from the process at any time prior to a final agreement and resume the formal grievance process. Information shared in the informal resolution process may not be introduced into the formal process without independent evidence.

- Once a final agreement is established through informal resolution, the complaint may not return to the formal complaint process unless one or both parties' fails to abide by any conditions established in the agreement.
- Informal resolution options include mediation, restorative conferences, shuttle facilitation, and other forms of facilitated dialogue.
- Mediation may not be used to resolve complaints of rape, statutory rape, dating violence, domestic violence, or any case in which imminent threats of harm may exist.
- The university may not offer an informal resolution process in sex-based complaints unless a formal complaint is filed and may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Formal Resolution

Upon receipt of a report, the Title IX Coordinator or Chief Compliance Officer will consult with the Texas A&M University System Office of General Counsel (OGC) as needed and make a preliminary determination about whether to conduct a formal investigation of the allegations.

If it is determined that there is insufficient information to proceed with an investigation; that the allegations are baseless; that the allegations, if true, would not constitute conduct prohibited by System Regulation 08.01.01 and/or Rule 08.01.01.D1; or, that an investigation will not occur due to the complainant's request for no resolution, the Title IX Coordinator or Chief Compliance Officer may, after consultation with OGC:

- dismiss the complaint,
- close it for insufficient evidence to investigate or lack of jurisdiction,
- refer the report to a different office at the university (the university office may review the conduct and take appropriate action, including but not limited to, disciplinary action against the respondent for violations of other university rules, codes, regulations, policies, or SAPs, if applicable), or
- with the consent of the parties, as well as the approval of SECO, refer the complaint to informal resolution (cases involving allegations based on sex require the submission of a formal complaint before they may be referred to informal resolution). The Title IX Office will notify the complainant of such action in writing. Complaints that have been dismissed or referred may be appealed in accordance with the appeal procedures section of this policy.

Once it has been determined that the university will proceed with a formal investigation, the Chief Compliance Officer will appoint the Investigative Authority (IA) within 5 business days to initiate the process of determining whether a violation of System Regulation 08.01.01 or other university rule, SAP, code, or policy occurred. The Title IX Coordinator, Chief Compliance

Officer, (or designee) shall simultaneously notify the complainant(s) and respondent(s) in writing of the commencement of the investigation. The notice of investigation will include:

- receipt of the complaint stating the allegation of a violation of this System Regulation 08.01.01;
- interim supportive measures, if any;
- admonishments regarding cooperation and prohibiting retaliation;
- any informal resolution process that may be available; ;
- an unreacted version of the complaint to an employee respondent(s) and their advisor, if applicable, with admonishments regarding privacy; and
- the appointed IA; the appointed Designated Administrator (DA) and Appellate Authority (AA).

If in the course of an investigation the university decides to investigate allegations about the complainant or respondent that were not included in the original notice, the university must provide notice of the additional allegations to the parties.

The IA will review the complaint, conduct a prompt, fair, thorough, and impartial investigation.

During the investigation, the complainant and the respondent will have the equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; each party will have the ability to discuss the allegations under investigation and to gather and present relevant evidence. The university will provide the parties with the same opportunities to have others with them during the grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice; and not limit the choice or presence of the advisor in any meeting or grievance proceeding. The university reserves the right to apply restrictions regarding the extent to which advisors may participate in the proceedings. Advisors who fail to adhere to established rules may be dismissed from the process at the discretion of the university.

During the investigation, both the complainant and respondent may have others present during any institutional proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The advisor may be present at any time in which the party participates in the investigation and resolution process, including the filing of the complaint, the interview with the IA, and all other meetings related to the investigation and resolution of the complaint. A party may select any person to be an advisor. An advisor may be an attorney.

If the allegations are related to sexual harassment or sex-based misconduct, a party must have an advisor for the formal hearing to provide guidance and to conduct cross examination. If a party does not have an advisor for a hearing involving sexual harassment or sex-based misconduct allegations, the university will appoint an advisor for the party.

All parties, including advisors, are informed of participation restrictions before a proceeding is conducted so that parties understand and respect the limitations.

Within 30 business days, the IA will prepare an initial draft investigation report at the conclusion of the investigation and provide it to OGC for review. OGC will coordinate with SECO and provide its review of the initial draft investigation report to the IA within 10 business days. The IA will have 5 business days to create a final draft investigation report and share that document electronically with both the complainant and respondent.

The complainant and the respondent will be given 10 business days to review the final draft investigation report and evidence and submit a written response to the IA for the IA to consider prior to final completion of the investigative report.

At the conclusion of the review and respond period, The IA will then have 5 additional business days to prepare a final report (as amended, if applicable), and forward it along with exhibits, responses from the parties, and other information directly related and relevant to the allegations, to OGC and SECO for legal review. OGC and SECO will then have 5 business days to provide feedback to IA. The latter review provided by OGC and SECO may be waived by mutual agreement between the university and OGC/SECO if no substantive changes were made following the initial review. After receiving the legal review, the final report shall be submitted to the DA for decision-making and sanctions.

Time frames for the receipt, investigation, and adjudication of complaints may be extended for good cause with written notice to the complainant and respondent of the delay and/or extension and the reasons therefor. Good cause is to be determined by the member in consultation with OGC and SECO and reasonable extensions may be granted at the discretion of the member. The investigative authority should send an extension request, if needed, to the Chief Compliance Officer.

The respondent is presumed to not have engaged in prohibited conduct until the Designated Administrator (DA) finds that there is sufficient evidence based on a preponderance of the evidence to find that the respondent has violated System Regulation 08.01.01 and/or Rule 08.01.01.D1. If violation(s) are found, the DA may issue sanctions.

Procedures governing the resolution of all sexual harassment and sex-based misconduct allegations

The university's Chief Compliance Officer will appoint a university official and/or a hearing officer to be the decision maker. The university official and/or hearing officer will render decisions in cases with allegations against employees, third parties, and students.

The hearing officer or hearing panel will review the unredacted final investigation report, the documentary evidence, the record of the hearing (if applicable), and any other relevant

information. The DA or designee will provide the final investigative report and exhibits to the parties. The parties will also be provided a pre-hearing conference to review the hearing process as well as to explore any available options for informal resolution. The parties have at least 10 business days to review the final investigative report and to respond in writing to the DA (if desired) prior to the hearing. The DA has the sole discretion to determine the relevance of evidence and whether it should be heard at a hearing. The Rules of Evidence do not apply in hearings. At any time prior to the adjudication of a formal complaint, the parties may seek informal resolution to resolve the complaint.

Unless waived by the parties, following the pre-hearing conference the parties will be given a minimum of 5 business days' notice of any formal hearing. The notice must include the date, time, and location of the hearing, as well as instructions for those participating in hearings through online means.

The university will conduct a live hearing to allow the parties to question witnesses, submit evidence or information, and to allow the hearing officer or hearing panel and the parties' advisors to cross-examine other parties or witnesses. The complainant and the respondent at a hearing must have an advisor with them. In cases in which a party does not have an advisor, the university will provide a trained advisor to assist them in the hearing process.

Cross-examination of the complainant, respondent, and any witnesses may not be conducted by the opposing party but must be conducted by their advisor. Questions are to be directed to the hearing officer or hearing panel chair, who will determine whether or not each question will be admitted into the hearing. If a question is deemed repetitious or not relevant, the hearing officer or hearing panel chair must explain the decision to exclude it. When parties are being subject to cross-examination, the advisor may not answer on behalf of the party.

The hearing officer or hearing panel chair will preside over the hearing and make final determinations on the relevance of questions and evidence asked during the cross-examination. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

A complainant, respondent, or witness statement can be utilized in a determination if that person refuses to submit to cross-examination at a live hearing. The hearing officer or hearing panel chair cannot draw an inference regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Following the hearing, the hearing officer or hearing panel chair will develop a draft result (hereafter called decision), based on the preponderance of the evidence, as to a) whether or not the alleged conduct occurred; and b) whether each allegation is substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or Rule 08.01.01.D1. If applicable, the hearing officer or hearing panel chair will also include a decision as to whether the respondent violated any other university regulation, code, policy, SAP, or rule. If the hearing officer or hearing panel chair determines that any regulations, policies, rules, SAPs, or codes have been violated, the hearing officer or hearing panel chair will consider any information about impact, mitigation, aggravation, and the respondent's character (see factors listed in the Sanctioning Considerations section on page 42) and include a decision about sanctions. The hearing officer or hearing panel chair will submit the draft to SECO within 2 business days. SECO will have a maximum of 3 business days to provide feedback to the hearing officer or hearing panel chair. Hearings will be closed to the public.

Thereafter, the hearing officer or hearing panel chair will have a maximum of 3 additional business days to issue a decision letter. The decision letter must be sent simultaneously to notify the parties, in writing, of the decision on responsibility and sanctions except when to do so would violate state or federal law [e.g., Family Education Rights and Privacy Act (FERPA)]. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the decision letter must include the rationale for the decision and the sanctions. The decision will include information about appealing the decision and/or sanctions.

Decision letters must include (1) identification of the allegations; (2) a description of the procedural steps taken from the receipt of a formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held, if any; (3) a finding for each allegation as to whether the conduct occurred and findings of fact supporting the determination; (4) conclusion regarding the application of the university's conduct standards to the facts; (5) a statement of, and rationale for, the result as to each allegation including a determination regarding responsibility (substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or Rule 08.01.01.D1), any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the university's education program or activity will be provided by the university to the complainant, and; (6) the university's procedures and permissible bases for the complainant and respondent to appeal the decision and/or sanctions. If it was alleged that any other system regulations or university rules, SAPs, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well. The decision on responsibility made by the hearing officer or hearing panel chair does not constitute an employment action with respect to faculty and non-faculty

employees. Any sanction against an employee, imposed as a result of a substantiated finding, will constitute an employment action.

If for any reason there is reasonable cause for the university to delay the issuance of the decision letter, this will be communicated to the parties by the hearing officer or hearing panel chair or designee. If a student respondent withdraws or graduates from the university pending the resolution of a complaint, the process will continue and, the university will not issue a transcript on behalf of the student until the conclusion of the process.

Upon request by another postsecondary educational institution, the university must provide to the requesting institution any determination that a student violated the university's code of conduct by committing sexual harassment, sexual assault, sex-based misconduct, dating violence, domestic violence, and/or stalking based on sex.

The goal is to resolve complaints in a reasonably prompt timeframe; however, extenuating circumstances requiring additional time may necessitate an extension for good cause. Written notice of the delay and the reason for the delay is provided to the complainant and the respondent by the Office of Institutional Compliance or designee.

Procedures governing the resolution of all other civil rights complaints (allegations other than sexual harassment and sex-based misconduct)

Following are the resolution procedures for non-sex-based complaints based on race, color, religion, national origin, age, disability, genetic information, and/or veteran status. When a complaint involves allegations of misconduct that involve both sex-based allegations and allegations of other civil rights violations, the process shall be conducted under the requirements established for sex-based offenses.

The hearing officer or hearing panel chair will review the unredacted final investigation report, the documentary evidence, and any other relevant information. At any time prior to the adjudication of a formal complaint, the parties may seek informal resolution to resolve the complaint.

The DA will develop a draft decision, based on the preponderance of the evidence, as to a) a finding for each allegation as to whether conduct occurred; and b) a finding of responsibility for each allegation: substantiated, unsubstantiated, or there is insufficient information to substantiate that the respondent violated System Regulation 08.01.01 and/or Rule 08.01.01.D1. If it was alleged that any other system regulations or university rules, SAPs, codes, or policies were violated, there will be a statement of responsibility as to these allegations as well.

The DA will submit the draft decision to OGC within 5 business days after receiving the final investigation report and consult, as needed, with respect to sanctioning. OGC will coordinate with SECO and provide its review of the draft decision within 5 business days. For a complaint

against a student, it may be impractical for OGC to review the intended decision prior to issuance by the DA. Universities are therefore exempt from obtaining OGC review of the decision, for student complainants, prior to issuance but may request assistance from OGC and SECO when needed.

The DA will have 5 business days to finalize the decision and simultaneously notify the parties, the IA, and any other university official with a need to know, in writing, of the decision and sanctions. In cases in which the allegations are substantiated, the final decision will also be provided to an employee respondent's supervisor. The decision must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, in the decision, the DA will state the rationale for the decision and the sanctions, if any. The final decision will include instructions for appealing the decision and/or sanctions.

Circumstances may warrant extensions to the time frames in this section. The DA should send an extension request, if needed, to the office or individuals who appointed them. Both the complainant(s) and the respondent(s) should be notified of any extensions in writing.

Sanctioning Considerations

In determining appropriate sanctions, many factors may be considered. Factors include, but are not limited to:

- the expressed wishes of the complainant(s),
- the nature of the conduct,
- the impact of the conduct on the complainant(s) and university community and the need to protect the safety of the university community,
- prior disciplinary history of the respondent,
- whether the respondent has accepted responsibility for the conduct,
- the necessity of any specific action in order to eliminate the discrimination, harassment, and/or retaliation and prevent its recurrence, as well as the need to remedy its effects on the complainant(s) or other university community members, and/or
- any other mitigating, aggravating, or compelling circumstances.

Sanctioning for Employees

If an employee is found to have engaged in sexual harassment or sex-based misconduct, the sanction will be termination of employment. If an employee is found to have engaged in conduct prohibited by System Regulation 08.01.01 and/or Rule 08.01.01.D1 (other than sexual harassment and/or sex-based misconduct), the DA may assign appropriate sanction(s) which may have educational, restorative, punitive, and rehabilitative components. Sanctions include

written warning or reprimand, required training and/or attendance at counseling, no contact directives, probation, suspension, and termination.

If an employee is found responsible for violating any other rule, policy, SAP, code, or regulation, the DA may assign appropriate sanction(s) or may refer the sanctioning to any other appropriate university administrator.

Sanctioning for Students If a student is found responsible for sexual harassment or sex-based misconduct, the student will be sanctioned in accordance with the Texas A&M University-Central Texas Title IX Cumulative Student Sanctioning Matrix which is described in the following table. Behavior examples identified in the table are not intended to represent an exhaustive listing of sexual harassment or sex-based misconduct. If a student is found responsible for engaging in any other form of conduct prohibited by System Regulation 08.01.01 or Rule 08.01.01.M1, or if the student is found responsible for violating any other university rule or System regulation, the DA will assign appropriate sanctions which may have educational, restorative, and rehabilitative components and/or may place a student in a probationary or review status or separate the student from the university.

The Student Sanction Chart can be found at: <https://www.A&M-Central Texas.edu/student-affairs/docs/A&M-CENTRAL TEXAS-IX-Sanctioning-Matrices.pdf>.

Appeals procedures governing the resolution of all sexual harassment and sex-based misconduct allegations

An appeal of a complaint dismissal, hearing decision, and/or sanctions related to an allegation of sexual harassment or sex-based misconduct may be made by the complainant and/or the respondent. The Appellate Authority (AA), the individual or panel responsible for rendering appeal decisions, is assigned based on the status of the respondent. AAs shall not have had any previous involvement and/or participation in the investigation and/or decision pertaining to an appeal under review.

All appeals will be confined to a review of the record from the investigation and any relevant evidence, as well as the hearing officer or hearing panel chair's decision as related to the grounds for appeal. The appeal does not create an entitlement to a new investigation. The appeals process carries a presumption that the original decision was correct unless a preponderance of the evidence demonstrates that one or more of the conditions of the appeal are met, and that either or both parties was deprived of a fair process.

Appeals must be submitted in writing and must include a statement outlining the basis for the appeal and any evidence which supports the appeal. Appeals must be filed at the location and within the timeframe dated in the hearing officer or hearing panel chair's written notice of the

decision (within 5 business days of notification of the decision). Decisions made by the DA shall not be final until an appeal deadline is passed, or when the appeal process is exhausted, or when all parties choose not to appeal.

To be a valid appeal, the appeal must: (1) be filed at the location and within the time frame stated in the DA's written notice; (2) identify one of the bases for appeal; and (3) provide credible information or evidence substantiating the identified bases for appeal. If the AA determines that an appeal is not valid, the AA will provide simultaneous written notice to the parties and the Office of Institutional Compliance that no valid appeal was filed, and that the decision of the DA is final, and the case is closed.

If a timely and valid appeal is filed by either party, the other party will be notified as soon as practical thereafter by the AA. The parties will be given 3 business days to review the appeal and submit a written response a) that provides support for or challenges the decision by the DA, and b) that responds to the appeal bases submitted by the appealing party. Any written response must be submitted to the AA.

The AA will review the investigation report, the hearing officer or hearing panel chairs decision on responsibility and/or sanctions, the documentary evidence, the record from the hearing (if applicable), and any other relevant information and render a written decision on the appeal. If both parties file a valid appeal, the AA will review both appeals and will render decisions accordingly.

The AA will render one or more of the following written decisions:

- (a) affirm the original finding and sanction.
- (b) affirm the finding and modify the sanction; or
- (c) remand the case to a new hearing or review.

Notwithstanding section 444 of the General Education Provision Act (20 U.S.C. 1232g), commonly referred to as FERPA, the AA will render a written decision simultaneously to the parties that includes a rationale for the decision as to each of the grounds appealed, changes occurring based on appeal, and when such results become final.

To the extent reasonably possible:

- For student respondents: The AA will provide the written decision simultaneously to the parties and OIC within 10 business days following the 3-business day review deadline. AAs are exempt from obtaining OGC review of decisions for student respondents prior to issuance but may request assistance from OGC and SECO when needed.
- For employee or third-party respondents: The AA will provide a draft decision to OGC for review within 5 business days following the 3-business day review deadline. System Office officials will provide its review of the draft decision to the AA within 5 business

days. To the extent possible, the AA will provide a final written decision simultaneously to the parties and CREI within 5 business days of receipt of the review from the System Office. If the complaint on appeal is substantiated, the respondent's supervisor will also be informed.

The decision of the AA is considered be final and binding on all involved parties.

Circumstances may warrant extensions to the timeframes outlined in this section. The AA may send an extension request to the office or individual who appointed them with a rationale for an extension. If the extension is granted, the AA will notify the parties and CREI in writing.

Appeal procedures governing the resolution of other complaints (allegations other than sexual harassment and sex-based misconduct)

Any employee disciplined pursuant to this regulation may appeal that action in accordance with [System Policy 12.01](#), Academic Freedom, Responsibility and Tenure; [System Policy 32.01](#), Employee Complaint and Appeal Procedures; [System Regulation 32.01.01](#), Complaint and Appeal Procedures for Faculty Members; [System Regulation 32.01.02](#), Complaint and Appeal Process for Non-faculty Employees; and/or other system policies or regulations as appropriate.

Any student receiving a sanction of separation (expulsion or suspension) pursuant to this regulation may appeal the sanction in accordance with the code of conduct for student grievances.

Extensions

The university will make every reasonable effort to comply with the timelines contained in this procedure. However, extensions may be obtained as appropriate under the circumstances. Time frames for the receipt, investigation, and adjudication of complaints may be extended for good cause. Good cause is to be determined by the university in consultation with OGC and SECO and reasonable extensions may be granted at the discretion of the university. OIC will simultaneously notify the complainant and respondent in writing of any extensions and the reason for the extensions.

Dismissals under Title IX

Cases involving allegations of sexual harassment, sexual assault, and dating violence, domestic violence, and/or stalking based on sex are subject to mandatory or discretionary dismissal from the Title IX process under federal law. However, at the discretion of the Title IX Coordinator, in

consultation with OGC and SECO, cases dismissed from the Title IX process may be subject to investigation and adjudication as sex-based misconduct which provides for the same investigation and resolution process as cases meeting sexual harassment under Title IX.

Mandatory dismissals

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined even if proved, did not occur in the university's education program or activity, or did not occur against a person in the United States, then the university must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX only. Such dismissal does not preclude action under Sex-based Misconduct procedures or another provision of the university's conduct standards.

Discretionary dismissals

The university may dismiss a formal complaint for the purposes of sexual harassment under Title IX if the complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw it, if the respondent is no longer enrolled or employed by the university, or if specific circumstances prevent the university from collecting evidence sufficient to reach a determination (for example, when the complainant has ceased participating in the process; in certain fact specific cases when the passage of time precludes the collection of sufficient evidence; when complainant's identity is not known; and when the exact same allegations have already been investigated and adjudicated). Such dismissal does not preclude action under sex-based Misconduct procedures or another provision of the university's conduct standards.

Upon a dismissal required or permitted pursuant to the above, the university must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties. The parties must be given the opportunity to appeal a dismissal to the designated AA in accordance with the appeal procedures referenced above.

Prevention and Awareness Programs

The University engages in comprehensive, intentional and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identifies, sustainable responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all new incoming students and new employees. The primary programs are defined as programming,

initiatives, and strategies are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur. The programs identify sexual assault, dating violence, domestic violence, and stalking as prohibited conduct and provide information regarding bystander intervention, risk reduction in recognizing warning signs of abusive behavior, ways to avoid potential attacks, individual' rights and options. The ongoing awareness and prevention campaigns for students and employees have the primary goal of preventing crime before it occurs. The information provided programming, initiatives, and strategies help all members of the university community take an active role in their personnel safety and property protection. The different programs include:

- Threatening Behavior/Silent Witness
- Staying Safe on Campus
- Exercising Safely on Campus
- Sexual Assaults
- S.H.A.R.P (Sexual Harassment Assault Response and Prevention)

Bystander Intervention

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals” who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in preventing violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, Dial 911. For example, when a person is yelling at or being physically abusive towards another person and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person or immediately report to university authorities.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off-campus resources listed in this document for support in health, counseling or with legal assistance.
- Be actively aware of your surroundings and your fellow campus community members, ask if they need assistance.

Steps you can take to prevent sexual assault

Everyone has a role to play in preventing sexual assault. There are many different ways that you can step in or make a difference if you see someone at risk. This approach to preventing sexual assault is referred to as “bystander intervention.”

How can I play a role in preventing sexual assault?

The key to keeping your friends safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn’t right. Stepping in can make all the difference, but it should never put your own safety at risk.

Create a distraction

Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.

- Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.”
- Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about.
- Start an activity that draws other people in, like a game, a debate, or a dance party.

Ask directly

Talk directly to the person who might be in trouble.

- Ask questions like “Who did you come here with?” or “Would you like me to stay with you?”

Refer to an Authority

Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation.

- Talk to a bartender, security guard or another employee about your concerns. It’s in their best interest to ensure that their patrons are safe, and they will usually be willing to step in.
- Don’t hesitate to call 911 if you are concerned about someone else’s safety.

Enlist Others

It can be intimidating to approach a situation alone. Enlist another person to support you.

- Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers.
- Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom.
- Enlist a friend of the person you're concerned about. "Your friend looks like they've had a lot to drink. Can you check on them?"

Your actions matter

Whether or not you were able to change the outcome, by stepping in you are helping to change the way people think about their role in preventing sexual assault. If you suspect that someone you know has been sexually assaulted, there are steps you can take to support that person and show you care.

Risk Reduction, Warning Signs of Abusive Behavior and Future Attacks

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warning signs of abusive behavior and how to avoid potential attacks.

Warning Signs of Abusive Behavior

Domestic and dating abuse often escalate from threats and verbal abuse of violence. While physical injuries may be the most obvious danger, domestic and dating violence's emotional and psychological consequences are also severe. Warning signs of dating and domestic violence include:

- Being afraid of your partner.
- Constantly watching what you say to avoid a "blow up."
- Feelings of low self-worth and helplessness about your relationship.
- Feeling isolated from family or friends because of your relationship.
- Hiding bruises or other injuries from family or friends.
- Being prevented from working, studying, going home, and/or using technology (including your cell phone).
- Being monitored by your partner at home, work or school.
- Being forced to do things you don't want to do.

What Consent Looks Like

The laws about consent vary by state and situation. It can confuse the topic, but you don't have to be a legal expert to understand how consent plays out in real life.

What is consent?

Consent is an agreement between participants to engage in sexual activity. There are many ways to give consent, and some of those are discussed below. Consent doesn't have to be verbal, but verbally agreeing to different sexual activities can help both you and your partner respect each other's boundaries. Consent may be revoked by any party at any time.

How does consent work in real life?

When you're engaging in sexual activity, consent is about communication. And it should happen every time. Giving consent for one activity, one time, does not mean giving consent for increased or recurring sexual contact. For example, agreeing to kiss someone doesn't permit that person to remove your clothes. Having sex with someone in the past doesn't give that person permission to have sex with you again in the future.

You can change your mind at any time.

You can withdraw consent at any point if you feel uncomfortable. It's important to clearly communicate to your partner that you are no longer comfortable with this activity and wish to stop. The best way to ensure both parties are comfortable with any sexual activity is to talk about it.

Positive consent can look like this:

- Communicating when you change the type or degree of sexual activity with phrases like, "Is this OK?"
- Explicitly agreeing to certain activities, either by saying "yes" or another affirmative statement, like "I'm open to trying."
- Using physical cues to let the other person know you're comfortable taking things to the next level.

It does NOT look like this:

- Refusing to acknowledge "no"
- Assuming that wearing certain clothes, flirting, or kissing is an invitation for anything more
- Someone being under the legal age of consent, as defined by the state
- Someone being incapacitated because of drugs or alcohol
- Pressuring someone into sexual activity by using fear or intimidation

- Assuming you have permission to engage in a sexual act because you've done it in the past

Help Reduce Your Risk and Avoid Potential Attacks

If you or someone you know is being abused, speak up or intervene.

1. Get help by contacting the Counseling Center or Medical Services for support services.
2. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
3. Consider making a report with the UPD and/or Title IX Coordinator and ask for a “no contact” directive from the University to prevent future contact.
4. Consider getting a protective order – talk to UPD
5. Learn more about what behaviors constitute dating and domestic violence. Understand it is not your fault and talk with friends and family members about ways you can be supported.
6. Trust your instincts – if something doesn't feel right in a relationship, speak up or end it.

Sexual Assault Prevention (from Rainn.org)

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from unopened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested
- Keep track of how many drinks you have had
- Try to come and leave with a group of people you trust
- Avoid giving out your personal information (phone number, where you live, etc.) If someone asks for your number, take his/her number instead of giving out yours

Alcohol Safety

Like many other substances, alcohol can inhibit a person's physical and mental abilities. In the context of sexual assault, alcohol may make it easier for a perpetrator to commit a crime and even prevent someone from remembering that the assault occurred.

What can I do to stay safe?

You can take steps to increase your safety in situations where drinking may be involved. These tips can help you feel safer and may reduce the risk of something happening, but like any safety tips, they are not foolproof. It's important to remember that sexual assault is never the victim's fault, regardless of whether they were sober or under the influence of drugs or alcohol when it occurred.

- **Keep an eye on your friends.** If you are going out in a group, plan to arrive together and leave together. If you decide to leave early, let your friends know. If you're at a party, check in with them during the night to see how they're doing. If something doesn't look right, step in. Don't be afraid to let a friend know if something is making you uncomfortable or if you are worried about their safety.
- **Have a backup plan.** Sometimes plans change quickly. You might realize it's not safe for you to drive home, or the group you arrived with might decide to go somewhere you don't feel comfortable. Download a rideshare app, like Uber or keep the number for a reliable cab company saved in your phone and cash on hand in case you decide to leave.
- **Know what you're drinking.** Don't recognize an ingredient? Use your phone to look it up. Consider avoiding large-batch drinks like punches or "jungle juice" that may have a deceptively high alcohol content. There is no way to know exactly what was used to create these drinks.
- **Trust your instincts.** If you feel unsafe, uncomfortable, or worried for any reason, don't ignore these feelings. Go with your gut. Get somewhere safe and find someone you trust or call law enforcement.
- **Don't leave a drink unattended.** That includes when you use the bathroom, go dancing, or leave to make a phone call. Either take the drink with you or throw it out. Avoid using the same cup to refill your drink.
- **Don't accept drinks from people you don't know or trust.** Refusing drinks can be challenging in some settings, like a party or a date. If you choose to accept a drink from someone you've just met, try to go with the person to the bar to order it, watch it being poured, and carry it yourself.
- **Check-in with yourself.** You might have heard the expression "know your limits." Whether you drink regularly or not, check in with yourself periodically to register how you feel.
- **Be aware of sudden changes in the way your body feels.** Do you feel more intoxicated than you should? Some drugs are odorless, colorless and/or tasteless, and can be added to your drink without you noticing. If you feel uncomfortable, tell a friend and have them take you to a safe place. If you suspect you or a friend has been drugged, call 911, and be upfront with healthcare professionals so they can administer the right tests.

- **Ask yourself, “Would I do this if I was sober?”** Alcohol can affect your overall judgment. You wouldn’t drive, make medical decisions, or ride a bike while intoxicated. Many professionals, such as doctors, teachers and pilots, cannot be drunk while doing their jobs. Given this context, is what you’re about to do a good idea? Will you be comfortable with your decision the next day?

Traveling around campus (walking)

- Make sure your cell phone is easily accessible and fully charged
- Be familiar with where emergency phone is installed on the campus
- Be aware of open buildings where you can use a phone
- Keep some change accessible just in case you need to use a pay phone
- Take major, public paths rather than less populated shortcuts
- Avoid dimly lit places and talk to UPD or the Physical Plant if lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Walking back from the library very late at night is sometimes unavoidable, try to walk with a friend or call UPD for an escort.
- Carry a noisemaker (like a whistle) on your keychain
- Carry a small flashlight on your keychain
- If walking feels unsafe, call UPD at (254)501-5805 for an escort

Staying Safe on Campus (RAINN.org)

College campuses can give you a sense of security – a feeling that everyone knows each other and watches out for one another. Some perpetrators take advantage of this feeling of safety and security to commit acts of sexual violence.

We can all take steps to increase safety on college campuses. As bystanders, students can learn ways of stepping in to prevent crimes like sexual assault from occurring. When it comes to personal safety, you can take steps as well, and some of those tips are outlined below. No tip can absolutely guarantee safety – sexual violence can happen to anyone, and it’s not a crime that only occurs on a college campus. It’s important to remember that if you are sexual assaulted on campus it is not your fault – help and support are available.

Increasing on-campus safety

The following tips may reduce your risk for many different types of crimes, including sexual violence.

- **Know your resources.** Whom should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus police department, counseling

center and Title IX office. Notice where emergency phones are located on campus, and program the campus police department phone number into your cell phone for easy access.

- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus police for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be careful about posting your location.** Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends but give people time to earn your trust before relying on them.
- **Think about Plan B.** Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
- **Be secure.** Lock your door and windows when you're sleeping and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell university police or a trusted authority figure.

Safety in social settings

It's possible to relax and have a good time while still making safety a priority. Consider these tips for staying safe and looking out for your friends in social settings.

- **Make a plan.** If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to check-in with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.
- **Protect your drink.** Don't leave your drink unattended and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It's not always possible to know if something has been added to someone's drink. In drug-facilitated sexual assault, a perpetrator could use a substance with no color, taste or odor.
- **Know your limits.** Keep track of how many drinks you've had and be aware of your friends' behavior. If one of you feels more tired or drunk than you should, you may have been drugged. Leave the party or situation and find help immediately.

- **It's okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are "needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time."
- **Be a good friend.** Trust your instincts. If you notice something that doesn't feel right, it probably isn't. Learn more about how to keep your friends safe in social settings.

Meeting Offline

More and more people are seeking online connections that turn into offline encounters. There are also many ways to meet people online beyond dating sites, such as networking platforms, social media, gaming sites, and activity forums.

Talking to someone online can build a strong connection with someone you've never met in person, but that connection shouldn't overshadow your commitment to safety. Consider these tips to enhance your safety when you plan to meet someone offline.

- **Pick a public place.** The first time you meet someone in person, choose a public setting that is easy to find. Give the person time to earn your trust before meeting in a private location, like their home.
- **Do some research.** A quick online search can help you confirm details this person has shared in previous exchanges and may give you a better visual to help you recognize them in person. You can also run a search on the National Sex Offender Public Website (NSOPW), a national resource that pulls data from the state, territory, and tribal sex offender registries.
- **Go in with an exit strategy.** Be prepared to return home safely. Meet the person at the destination instead of accepting a ride. Have cash on hand and a number for a taxi company or ride-sharing app. This way, if something goes wrong or doesn't feel right during the meeting you can be responsible for your own ride home. If you start to feel uncomfortable, you can leave at any time. You may find it helpful to tell the person you are meeting that you have plans directly following your date.
- **Tell someone about your plans.** Let a friend know where you're going, when you're going, and how long you plan to be there. You can arrange for them to check in with you via text at a certain point, allowing you to leave the meeting if needed.
- **Hold off on revealing personal information.** Don't offer up too much personal information or history on the first encounter. Be wary of someone who asks for details that seem too personal, such as questions about your finances or your home address.

- **You're allowed to be skeptical.** If you start to feel uncomfortable or uneasy, acknowledge these feeling. Don't feel pressured to push aside your concerns for the sake of giving someone a chance. Trust your gut.
- **It's OK to lie.** If you want to immediately exit the situation and are concerned about raising flags or upsetting the other person, it's okay to lie. Tell them you have an appointment to make, you're not feeling well, or that you have a family member to tend to. You are never obligated to remain in a situation that makes you feel uncomfortable, scared, or threatened.
- **Take extra steps when traveling a long distance.** Safely traveling is always a priority, but there are a few additional safety aspects to consider when you're traveling to meet someone in person for the first time. Before you book travel, you can ask the person to video chat to better understand how they communicate in a face-to-face situation. If you don't know someone in the area you're visiting, consider bringing a friend along. Plan to stay in your own separate lodging, like a hotel or a friend's house, and keep this address to yourself. Be responsible for your own transportation throughout the trip. Let someone from home know where you're going and when they should expect you back.

Other Considerations

Prohibition of Retaliation

Texas A&M University - Central Texas prohibits retaliation. Texas A&M University - Central Texas or an officer, employee or agent of Texas A&M University – Central Texas, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of the Clery Act.

Victim Notification

Per the Higher Education Opportunity Act, upon written request, Texas A&M University - Central Texas will disclose to the alleged victim of any crime of violence, or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense concerning such crime or offense. The next of kin of a deceased victim shall be treated as the alleged victim for this paragraph's purposes.

Institutions are required to provide both the complainant and the respondent with simultaneous written notification of any result of any institutional conduct proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking. In these cases, the victim does not need to make a written request.

Sex Offender Registration

Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) provides data for the tracking of registered sex offenders and instructs states to post sex offender data on the internet.

The Texas Department of Public Safety (DPS) is the official Texas internet source for Sex Offender Registration. The Sex Offender Registration open record information is extracted from the DPS Sex Offender Registration Database. The DPS maintains files based on registration information on sex offenders required by law to register.

In Texas, pursuant to [Code of Criminal Procedure Article 62.153](#), workers, or students at institutions of higher education are required to register.

(a) Not later than the later of the seventh day after the date on which the person begins to work, or attend school or the first date the applicable authority by policy allows the person to register, a person required to register under [Article 62.152](#) or any other provision of this chapter who is employed, carries on a vocation, or is a student at a public or private institution of higher education in that state shall report that fact to:

(1) the authority for campus security for that institution; or

(2) if an authority for campus security for that institution does not exist, the local law enforcement authority of:

(A) the municipality in which the institution is located; or

(B) the county in which the institution is located, if the institution is not located in a municipality.

(b) A person described by Subsection (a) shall provide the authority for campus security for the local law enforcement authority with all information the person is required to provide under [Article 62.051\(c\)](#).

(c) A person described by Subsection (a) shall notify the authority for campus security not later than the seventh day after the date of termination of the person's status as a worker or student at the institution.

(d) the authority for campus security or the local law enforcement authority shall promptly forward to the administrative office of the institution any information received from the person under this article and any information received from the department under this article and any information received from the department under [Article 62.005](#).

UPD receives notification of registered sex offenders that are currently employed, work, teach, volunteer, or attend classes on campus of A&M-Central Texas. The authority for campus notification at A&M-Central Texas is:

Andrew A. Flores, Chief of Police
University Police Department
Robert M. Shoemaker Founders Hall Room 104
1001 Leadership Place
Killeen, TX 76549

If you need to arrange for an appointment for registration or in you have questions concerning sex offenders or registration, call UPD at (254)501-5805.

To access a list of current Sex Offenders registered with UPD:
<https://www.tamuct.edu/police/sex-offender-notification.html>

Texas Sex Offender Registration List:
<https://publicsite.dps.texas.gov/SexOffenderRegistry/Search/Default/>.

Definitions of Clery Act Offenses

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligence Manslaughter: The killing of another person through negligence.

Sexual Assault: A offense that meets the definition of rape, fondling, incest or statutory rape. A sex offence is any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent (see consent section below).

- **Rape:** The carnal knowledge of a female or male forcibly and against her / his will.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity or physical incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Consent:

[Texas A&M University System Regulation](#)

[System Regulation 08.01.01, Civil Rights Compliance](#) provides guidance in complying with local, state and federal civil rights laws and regulations and related system policy. This regulation establishes system wide standards for the receipt and processing of complaints, appeals, or reports of discrimination, sexual

harassment and/or related retaliation based on protected class including complaints made by employees, students, and/or third parties.

According to [System Regulation 08.01.01, Civil Rights Compliance](#), consent is clear, voluntary, and ongoing agreement to engage in a specific sexual act. Persons need not verbalize their consent to engage in a sexual act for there to be permission. Permission to engage in a sexual act may be indicated through physical actions rather than words. A person who was asleep or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or whose agreement was made under duress or by threat, coercion, or force, cannot give consent. Consent may be revoked by any party at any time.

Texas Penal Code

According to the [Texas Penal Code, Sec. 1.02 Objectives of Code](#), the general purposes of this code are to establish a system of prohibitions, penalties, and correctional measures to deal with conduct that unjustifiably and inexcusably causes or threatens harm to those individual or public interests for which state protection is appropriate.

Consent is defined in the [Texas Penal Code, Section 1.07\(11\)](#) as assent in fact, whether express or apparent. Without consent is also defined in the [Texas Penal Code, Section 22.011\(b\)](#) within the definition of sexual assault (see below).

Sexual Assault is defined in the [Texas Penal Code, Section 22.011](#) as follows.

(a) A person commits an offense if:

(1) the person intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent.

(B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of a child by any means.

(B) causes the penetration of the mouth of a child by the sexual organ of the actor.

(C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor.

(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or

(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

(1) the actor compels the other person to submit or participate by the use of physical force, violence, or coercion.

(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat.

(3) the other person has not consented, and the actor knows the other person is unconscious or physically unable to resist.

(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it.

(5) the other person has not consented, and the actor knows the other person is unaware that the sexual assault is occurring.

(6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge.

(7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat.

(8) the actor is a public servant who coerces the other person to submit or participate.

(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor.

(10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser.

(11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

(12) the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor.

(13) the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor; or

(14) the actor is a caregiver hired to assist the other person with activities of daily life

and causes the other person to submit or participate by exploiting the other person's dependency on the actor.

(c) In this section:

- (1) "Child" means a person younger than 17 years of age.
 - (2) "Spouse" means a person who is legally married to another.
 - (3) "Health care services provider" means:
 - (A) a physician licensed under Subtitle B, Title 3, Occupations Code.
 - (B) a chiropractor licensed under Chapter 201, Occupations Code.
 - (C) a physical therapist licensed under Chapter 453, Occupations Code.
 - (D) a physician assistant licensed under Chapter 204, Occupations Code; or
 - (E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.
 - (4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:
 - (A) licensed social worker as defined by Section 505.002, Occupations Code.
 - (B) chemical dependency counselor as defined by Section 504.001, Occupations Code.
 - (C) licensed professional counselor as defined by Section 503.002, Occupations Code.
 - (D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code.
 - (E) member of the clergy.
 - (F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or
 - (G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.
 - (5) "Employee of a facility" means a person who is an employee of a facility defined by Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.
 - (6) "Assisted reproduction" and "donor" have the meanings assigned by Section 160.102, Family Code.
 - (7) "Human reproductive material" means:
 - (A) a human spermatozoon or ovum; or
 - (B) a human organism at any stage of development from fertilized ovum to embryo.
- (d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.
- (e) It is an affirmative defense to prosecution under Subsection (a)(2):
- (1) that the actor was the spouse of the child at the time of the offense; or
 - (2) that:

- (A) the actor was not more than three years older than the victim and at the time of the offense:
 - (i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or
 - (ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and
- (B) the victim:
 - (i) was a child of 14 years of age or older; and
 - (ii) was not:
 - (a) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#); or
 - (b) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section [25.02](#)

(f) An offense under this section is a felony of the second degree, except that an offense under this section is:

- (1) a felony of the first degree if the victim was:
 - (A) a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section [25.01](#); or
 - (B) a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section [25.02](#); or
- (2) a state jail felony if the offense is committed under Subsection (a)(1) and the actor has not received express consent as described by Subsection (b)(12).

Indecent Assault is defined in the [Texas Penal Code 22.012](#) as follows.

- (a) A person commits an offense if, without the other person's consent and with the intent to arouse or gratify the sexual desire of any person, the person:
 - (1) touches the anus, breast, or any part of the genitals of another person.
 - (2) touches another person with the anus, breast, or any part of the genitals of any person.
 - (3) exposes or attempts to expose another person's genitals, pubic area, anus, buttocks, or female areola; or
 - (4) causes another person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, or feces of any person
- (b) An offense under this section is a Class A misdemeanor.
- (c) If conduct that constitutes an offense under this section also constitutes an offense under law, the actor may be prosecuted under this section, the other law, or both.

Aggravated Sexual Assault is defined in the [Texas Penal Code, Section 22.021](#) as follows:

(a) A person commits an offense:

(1) if the person:

(A) intentionally or knowingly:

(i) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent.

(ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(iii) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(B) regardless of whether the person knows the age of the child at the time of the offense, intentionally or knowingly:

(i) causes the penetration of the anus or sexual organ of a child by any means.

(ii) causes the penetration of the mouth of a child by the sexual organ of the actor.

(iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor.

(iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor, or

(v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and

(2) if:

(A) the person:

(i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode.

(ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section [20A.02](#) (a) (3), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;

(iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section [20A.02](#) (a)(3), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;

(iv) uses or exhibits a deadly weapon in the course of the same criminal episode.

(v) acts in concert with another who engages in conduct described by Subdivision(1) directed toward the same victim and occurring during the course of the same criminal episode; or

(vi) with the intent of facilitating the commission of the offense, administers or provides to the victim of the offense any substance capable of impairing the victim's ability to appraise the nature of the act or to resist the act.

(B) the victim is younger than 14 years of age, regardless of whether the person knows the age of the victim at the time of the offense; or

(C) the victim is an elderly individual or a disabled individual.

(b) In this section:

(1) "Child" has the meaning assigned by Section 22.011(c).

(2) "Elderly individual" has the meaning assigned by Section 22.04 (c).

(3) "Disabled individual" means a person older than 13 years of age who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self.

(c) An aggravated sexual assault under this section is without the consent of the other person if the aggravated sexual assault occurs under the same circumstances listed in Section 22.011 (b).

(d) The defense provided by Section 22.011 (d) applies to this section.

(e) An offense under this section is a felony of the first degree.

(f) The minimum term of imprisonment for an offense under this section is increased to 25 years if:

(1) the victim of the offense is younger than six years of age at the time the offense is committed; or

(2) the victim of the offense is younger than 14 years of age at the time the offense is committed, and the actor commits the offense in a manner described by Subsection (a)(2)(A).

Prohibited Sexual Conduct is defined in the [Texas Penal Code, Section 25.02](#) as follow.

(a) A person commits an offense if the person engages in sexual intercourse or deviate sexual intercourse with another person the actor knows to be, without regard to legitimacy:

(1) the actor's ancestor or descendant by blood or adoption.

(2) the actor's current or former stepchild or stepparent.

(3) the actor's parent's brother or sister of the whole or half-blood.

(4) the actor's brother or sister of the whole or half blood or by adoption.

(5) the children of the actor's brother or sister of the whole or half blood or by adoption;
or

(6) the son or daughter of the actor's aunt or uncle of the whole or half blood or by adoption.

(b) For purposes of this section:

(1) "Deviate sexual intercourse" means any contact between the genitals of one person and the mouth or anus of another person with intent to arouse or gratify the sexual desire of any person.

(2) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ.

(c) An offense under this section is a felony of the third degree, unless the offense is committed under Subsection (a)(1), in which event the offense is a felony of the second degree.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. Dating violence does not include

acts covered under the definition of domestic violence. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Dating Violence is defined in the [Texas Family Code, Section 71.0021](#) as follows.

(a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:

(1) is committed against a victim or applicant for a protective order:

(A) with whom the actor has or has had a dating relationship; or

(B) because of the victim's or applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

(2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

(b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:

(1) the length of the relationship.

(2) the nature of the relationship; and

(3) the frequency and type of interaction between the persons involved in the relationship.

(c) A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship" under Subsection (b).

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Family Violence is defined by the [Texas Family Code, Section 71.004](#) as follows.

(1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.

(2) abuse, as that term is defined by [Sections 261.001\(1\)\(C\), \(E\), \(G\), \(H\), \(I\), \(J\), \(K\), and \(M\)](#), by a member of a family or household toward a child of the family or household; or

(3) dating violence, as that term is defined by [Section 71.0021](#).

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Any incident meeting this definition is considered to be a crime for the purposes of Clery Act reporting.

Stalking is defined in the [Texas Penal Code, Section 42.072](#) as follows.

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

- (1) constitutes an offense under [Section 42.07](#) or that the actor knows or reasonably should know the other person will regard as threatening:
 - (A) bodily injury or death for the other person.
 - (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
 - (C) that an offense will be committed against the other person's property.
- (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- (3) would cause a reasonable person to:
 - (A) fear bodily injury or death for himself or herself.
 - (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship.
 - (C) fear that an offense will be committed against the person's property; or
 - (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:

- (1) the laws of another state.
- (2) the laws of a federally recognized Indian tribe.
- (3) the laws of a territory of the United States; or
- (4) federal law.

(c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.

(d) In this section:

(1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.

(2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

Sec. 42.07. Harassment.

(a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:

(1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene.

(2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property.

(3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury.

(4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

(5) makes a telephone call and intentionally fails to hang up or disengage the connection.

(6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; or

(7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; or

(8) publishes on an Internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern.

(b) In this section:

(1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic, or photo-optical system. The term includes:

(A) a communication initiated through the use of electronic mail, instant message, network call, a cellular or other type of telephone, a computer, a camera, text message, a social media platform or application, an Internet website, any other Internet-based communication tool, or facsimile machine; and

- (B) a communication made to a pager.
 - (2) "Family" and "household" have the meaning assigned by Chapter 71, Family Code.
 - (3) "Obscene" means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function.
- (c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if :
- (1) the actor has previously been convicted under this section; or
 - (2) the offense was committed under Subsection (a)(7) or (8) and:
 - (A) the offense was committed against a child under 18 years of age with the intent that the child:
 - (i) commit suicide; or
 - (ii) engage in conduct causing serious bodily injury to the child; or
 - (B) the actor has previously violated a temporary restraining order or injunction issued under Chapter 129A, Civil Practice and Remedies Code.
- (d) In this section, "matter of public concern" has the meaning assigned by Section 27.001, Civil Practice and Remedies Code.

Robbery: The taking or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

Aggravated Assault: An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Burglary: The unlawful entry into a building or other structure with the intent to commit a felony or theft.

Motor Vehicle Theft: The theft of a motor vehicle.

Arson: To unlawfully and intentionally damage or attempt to damage any real or personal property by fire or incendiary device.

Hate Crime: A committed criminal offense that is motivated, in whole or in part, by the offender's bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender or gender identity. For Clery Act purposes, hate crimes include any of the following offenses that are motivated by bias: Murder and non-negligent manslaughter, manslaughter by negligence, sexual assault (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property. Following are the bias categories.

Race: A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks, or African Americans, whites.

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals (a person who does not conform to the gender-based expectations of society).

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced aged or illness.

Additional Hate Crime Definitions:

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Arrests and Referrals for Disciplinary Action: Arrest is defined as persons processed by arrest, citation, or summons. Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction. Clery Act statistics are disclosed for arrests and referrals regarding state or local violations of liquor, drug abuse, and weapons laws. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

Weapons: Carrying, Possessing, etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Classify as a weapon: carrying, possessing, etc. violation: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed (except as permitted by state law and institutional policy through state law) or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the aforementioned acts.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and

dangerous non-narcotic drugs (barbiturates, Benzedrine). Classify as a drug abuse violation: all drugs, without exception, which are illegal under local or state law where your institution is located, and all illegally obtained prescription drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Classify as a liquor law violation: the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the aforementioned acts.

Definitions of Clery Act Locations

On-campus: Any building or property owned or controlled by an institution and within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-campus Student Housing Facilities (Residential Facilities): A subset of the "On-campus" category. Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Non-campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Crime Report, Arrest and Referral Statistics

A&M-Central Texas' crime statistics are categorized according to the National Incident-Based Reporting System, an incident-based reporting system used by law enforcement agencies in the United States for collecting and reporting data on crimes. Statistics reflect reports made to campus security authorities as well as University, local and requested police departments and are compiled according to Clery Act guidelines and coordinated by the UPD and Clery Compliance Coordinator.

The Clery Act requires institutions of higher education to include four general categories of crime statistics:

- **Criminal Offenses** – Murder and Non-negligent Manslaughter, Manslaughter by Negligence, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.
- **Hate Crimes** – Any of the above-mentioned offenses (except Manslaughter by Negligence), and any incidents of Larceny, Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias.
- **Violence Against Women Act Offenses** – Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA offense but is included in the Criminal Offenses.).
- **Arrests and Referrals for Disciplinary Action** for Weapons (carrying, possession, etc.) Law Violations, Drug Abuse Violations and Liquor Law Violations.

Hate Crimes

According to Texas law, a hate crime is any criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against race, gender, ethnicity, religion, national origin, disability, gender identity or sexual orientation.

- **2019** – no hate crimes
- **2020** – no hate crimes
- **2021** – no hate crimes

Unfounded Crimes

- **2019**– no unfounded crime
- **2020** – 1 unfounded crime
- **2021** – 3 unfounded crimes

Texas A&M University - Central Texas Main Campus Reportable Clery Act Crimes

Offense	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Murder/Non-Negligent Manslaughter	2019	0	0	0	0	No Residential Facilities
	2020	0	0	0	0	
Negligent Manslaughter	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Rape	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Foundling	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Incest	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Statutory Rape	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Robbery	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Aggravated Assault	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Burglary	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Motor Vehicle Theft	2019	0	1	0	1	
	2020	0	0	0	0	
	2021	0	0	0	0	
Arson	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	

Texas A&M University - Central Texas Arrest, Referrals and VAWA Reports

Offense	Year	On Campus	Non-Campus	Public Property	Total	Residential Facilities
Liquor Law Arrests	2019	1	2	0	3	No Residential Facilities
	2020	1	0	0	1	
	2021	0	1	0	1	
Drug Law Arrests	2019	0	0	0	0	
	2020	1	0	0	1	
	2021	1	2	0	3	
Weapons Law Arrests	2019	1	0	0	1	
	2020	1	0	0	1	
	2021	0	0	0	0	
Liquor Law Violations Referred for Disciplinary Action	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Drug Law Violations Referred for Disciplinary Action	2019	2	0	0	2	
	2020	0	0	0	0	
	2021	0	0	0	0	
Weapons Law Violations Referred for Disciplinary Action	2019	1	0	0	1	
	2020	0	0	0	0	
	2021	0	0	0	0	
Domestic Violence	2019	1	0	0	1	
	2020	0	8	0	8	
	2021	0	0	0	0	
Dating Violence	2019	0	0	0	0	
	2020	0	0	0	0	
	2021	0	0	0	0	
Stalking	2019	1	0	0	1	
	2020	3	0	0	3	
	2021	0	0	0	0	

Crime Prevention and Security Awareness

All of us need to understand our role in the reduction of crime. A conceptual aid often employed by crime prevention practitioners is referred to as the Crime Triangle. For any crime to occur three elements must be present: desire, ability, and opportunity.



Members of the university community easily recognize that there is little that can be done to control the criminal's ability and desire. The university community's greatest strength is in the prevention of crime, it's our initiative to reduce or eliminate the opportunity for a crime to occur.

A primary goal of UPD is the prevention of crime before it occurs. Because UPD officers cannot be everywhere all the time, they need the help of all members of the university community to take an active role in their personal safety and property protection. Crime prevention is important to the campus community, and you can help by reporting any crime or suspected crime immediately to UPD. By doing so, you may be preventing someone else from becoming a victim of a more serious crime.

UPD offers a variety of services to our community members. The programs are designed to encourage students and employees to be responsible for their security and other's security.

- UPD Escort
- Motorist Assistance
- CRASE (Civilian Response to Active Shooter Events)
- SHARP (Sexual Harassment and Rape Prevention)

Important Contacts:

UPD Emergency Dispatch

911 or (254)501-5805

UPD Administration

(254)501-5802

Title IX Coordinator

(254)519-5716

Chief Compliance Officer

(254)519-5722

Student Wellness and Counseling Center

(254)501-5955

UPD Escort

(254)501-5805

Student Affairs

(254)501-5909

Poison Control Center

(800)222-1222

Domestic Violence Hotline

(800)799-7233

TTY (800)787-3224

Sex Offender Registration List (Texas)

<https://publicsite.dps.texas.gov/SexOffenderRegistry>

National Suicide Prevention Lifeline

(800)273-8255